

Certificate of ratification of certain amendments to
the Charter of the City of Red Wing, Goodhue County,
Minnesota.

City of Red Wing,
County of Goodhue,
State of Minnesota.

I, A. P. Pierce, chief magistrate and Mayor of the City of
Red Wing, in the County of Goodhue and State of Minnesota, do hereby cer-
tify:-

That the within proposed amendments, which are hereto attached and
made a part hereof, to the Charter of the City of Red Wing, Minnesota,
were on the 22nd. day of April, A.D., 1912, submitted, in accordance
with law to the qualified voters of said City, at a general City election
then and there held: at which election said amendments and each of them,
were duly ratified and adopted by the following vote: to-wit: the amendment
changing the fiscal year received a vote of 1325 in favor
thereof: there being 253 votes against said amendment: and
95 blank ballots: the amendment providing for the in-
itiative and referendum received a vote of 1194 in favor thereof:
there being 362 votes against said amendment: and 117
blank ballots: the amendment providing for the recall received
a vote of 1159 in favor thereof: there being 389
votes against said amendment: and 125 blank ballots: and
the total number of those lawfully voting at said election being
1673.

Dated at Red Wing, Minnesota,
this 26th. day of April, A.D.,
1912.

Attest:
W. Meyer
City Clerk

A. P. Pierce

Mayor.

2407

corporate seal

Fiscal Year.

That Section 3 of Chapter III of the Charter of the City of Red Wing, Minnesota, be and the same hereby is amended as follows: to wit:

By striking out the words: "He shall report annually, on the first day of May, to the Council, an estimate of the expenses of the City, for the current year, and the revenue necessary to be raised therefor, and the fiscal year of the City shall commence on the first day of May in each year."

And by inserting in place thereof the following words: to wit:

"The fiscal year of the city shall commence on the first day of January in each year, in all departments thereof; and all boards and departments shall make annual ~~state~~ financial reports to the city council on the first day of January in each year; and the city clerk of said city and all boards and departments of said city shall on or before the first day of August in each and every year submit to the city council an estimate of the amount of money required for the expenses of such various boards and departments for the next ensuing fiscal year."

That Sec. 7 and Sec. 9 of Chapter VII of the Charter of the City of Red Wing be and the same hereby is amended as follows: to wit:

By striking out the word "April" wherever it occurs and by inserting in place thereof the word "January."

That Section 10 of Chapter VII of the Charter of the City of Red Wing be and the same hereby is amended as follows: to wit:

By striking out the word: "September" therein and by inserting in place thereof the word "August."

That Section 3 of Chapter VIII of the Charter of the City of Red Wing, Minnesota, be and the same hereby is amended as follows: to wit:

By striking out the word "April" therein and by inserting in place thereof the word "January."

That Section 7 of Chapter VIII of the Charter of the City of Red Wing, Minnesota, be and the same hereby is amended as follows: to wit:

By striking out the word "April" therein and by inserting in place thereof the word "August."

Initiative and Referendum.

That Chapter IV of the Charter of the City of Red Wing be and the same hereby is amended by adding thereto an additional section to be known as Sec. 10, as follows: to-wit:

Whenever a petition signed by at least fifteen per cent of the qualified voters of the City of Red Wing, based upon the number of voters voting at the last previous general election, shall be presented to the city council of said city, praying that an ordinance in said petition fully set forth, shall be enacted into law, the city council of said city shall forthwith cause the said proposed ordinance to be submitted to the voters of said city at the next ensuing city election occurring not less than thirty days after the date of such submission: the proposed ordinance shall be published at least once a week for three successive weeks in at least one newspaper of general circulation in said City: the form of ballot shall be: " Shall the proposed ordinance be adopted?" Yes (); No (), and the general nature of the proposed ordinance shall be briefly indicated.

The votes upon such ordinance shall be returned, canvassed and announced in the same manner as is provided in the Charter for the canvassing of votes for the election of city officers; and if a majority of the voters voting upon the proposed ordinance shall be in favor thereof, that fact shall be certified by the mayor, with the authentication of the corporate seal of said city: and said ordinance shall thereupon forthwith be ~~and~~ recorded in the book of ordinances in the office of the city clerk and be and become an ordinance of ~~the~~ said city with the same force and effect as though passed by the city council, approved by the mayor and published.

If a majority of the voters voting upon the proposed ordinance shall be against the adoption thereof, the said proposed ordinance shall be of no force and effect.

Whenever the city council of said city shall have under consideration any ordinance, before the passage of the same, the city council may, and, if a petition signed by at least fifteen per cent of the qualified voters of the city as above specified, shall be presented to the city council, praying that such ordinance be submitted to the voters of said city for adoption or rejection, the city council of said city shall, forthwith cause the said proposed ordinance to be submitted to the voters of said city at the next succeeding city election, occurring not less than thirty days after the presentation of said petition; such submission shall be made in the same manner and form as above provided for the submission of a proposed ordinance under the initiative: provided that nothing herein contained shall be construed to apply to any ordinance, the immediate passage of which is required for the preservation of the public peace, health or safety.

That Sec. 1 of Chapter III of the Charter of the City of Red Wing be and the same hereby is amended as follows: to wit: by striking out the words: " All ordinances shall, before they take effect, be presented to the mayor" and inserting in place thereof the following words: " All ordinances passed by the council shall before they take effect be presented to the mayor."

That Sec. 5 of Chapter IV of the Charter of the City of Red Wing be and the same hereby is amended by striking out the words: " The city council shall have full power and authority," and by inserting in place thereof the following words: to wit: " The city council shall have full power and authority, subject however to the exercise of similar power by the voters, under the initiative and referendum as hereinafter provided:" and by striking out the words: " And for these purposes the said city council shall have authority", and by inserting in place thereof the following words: " And for these purposes the said city council shall have ~~the~~ authority, subject, however, to the exercise of similar power, by the voters, under the initiative and referendum, as hereinafter provided. "

Sec. 6 and

That Sec. 3 of Chapter I., and Sec. 7 of Chapter IV., of the Charter of the City of Red Wing, be and the same hereby is amended as follows: to wit: by striking out the words " City Council" wherever they occur in said Sections and by inserting in place thereof the following words: " City Council, or the voters of said city, under the initiative and referendum as hereafter provided. "

That Sec. 8 of Chapter IV of the Charter of the City of Red Wing be and the same hereby is amended as follows: to wit: by striking out the words: "The style of all ordinances shall be: the City Council of the City of Red Wing do ordain:" and by inserting in place thereof the following words: to wit: " The style of all ordinances enacted by the City Council ~~of the City~~ shall be: "the City Council of the City of Red Wing do ordain:" and the style of all ordinances enacted under the initiative and referendum shall be: " The voters of the City of Red Wing under the initiative and referendum ~~do~~ do ordain."

That Sec. 9 of Chapter IV of the Charter of the City of Red Wing be and the same hereby is amended as follows: to wit: by striking out the words: " No ordinance shall be passed at the same meeting of the Council at which it shall have been presented, except by the unanimous consent of all the members present, which shall be noted in the record, but this shall not preclude the passage of ordinances reported by any committees of the Council to whom the subject of such ordinances shall have been referred at any previous meeting:" and by inserting in place thereof the following words: to wit: " No ordinance shall be passed at the same meeting of the Council at which it shall have been presented, unless it be an ordinance, the immediate passage of which is required for the preservation of the public peace, health or safety, and by the ~~unanimous~~ unanimous consent of all the members present, which shall be noted in the record."

That Sec. 23 of Chapter XI of the Charter of the City of Red Wing be and the same hereby is amended as follows: to wit: by striking out the words, " City Council ", wherever they occur therein, and by inserting in place thereof the words: " City Council or the voters of said city under the initiative and referendum, as in the Charter elsewhere provided."

Recall.

That Chapter II. of the Charter of the City of Red Wing be and the same hereby is amended by adding thereto an additional section to be known as Section II(eleven), as follows: to wit:

Whenever there shall be presented to the City Council of the City of Red Wing a petition signed by at least twenty five per cent of the qualified voters of the district represented by an officer whose recall is petitioned for, praying that any elective officer of said city or district then in office, shall be recalled, it shall thereupon be the duty of said Council to forthwith cause to be submitted to the qualified voters of said district, at a special election to be held upon the same notice and under the same regulations as are ~~set~~ in the Charter provided for the holding of special elections, the question as to whether or not such official shall be recalled.

If a majority of the qualified voters of said district from which such officer was elected, shall vote in favor of such recall, the office of such officer shall thereupon be and become vacant; and the City Council of said City shall forthwith cause to be held a special election in accordance with the provisions of the Charter of said City relating to special elections, to fill such vacancy.

Provided: that not more than one election for recall shall be instituted against any one officer during one term of office.

The form of ballot shall be: " Shall (name of officer and office) be recalled? Yes(); No ().

That Section I of Chapter II. of the Charter of the City of Red Wing be and the same hereby is amended as follows: to wit: by striking out all of said section which relates to elective officers and by inserting in place thereof the following: to wit:

The elective officers of said City shall be as follows: a mayor, treasurer, two justices of the peace, two constables, each of whom shall be residents and qualified voters of said city and shall hold office for the term of two years; or until recalled as hereinafter provided; each ward shall elect one alderman each year who shall be a resident and qualified voter of the ward for which he shall be elected, and hold his office for the term of two years; or until recalled as hereinafter provided; at the annual city election in each odd numbered year, there shall be elected an alderman at large by the electors of said City, who shall hold his office for the term of two years, or until recalled as hereinafter provided, and until his successor is elected and qualified: he shall be a resident and elector of said City. The term of every officer elected under this act shall commence on the first (1st.) Tuesday in May of the year in which he shall be elected, and shall continue until a successor is elected and qualified, save and except that an officer elected to fill a vacancy caused by a recall as hereinafter provided, shall commence his term immediately upon his election and qualification.

That Sec. 4 of Chapter IV of the Charter of the City of Red Wing be and the same hereby is amended as follows: to wit: by striking out the words: " but no officer elected by the people shall be removed except for cause", and by inserting in place thereof the following words: " but no officer elected by the people shall be removed except for cause, unless recalled as elsewhere in this Charter provided."

That Sec. 20 of Chapter III and ~~and~~ Sec. 9 ~~of Chapter~~ of Chapter 2 of the Charter of said City be and the same hereby is amended by adding thereto the words: " except that upon a recall such vacancy shall be filled by special election. "

2407

**THE NEXT
DOCUMENT
IS OF POOR
QUALITY**



LEGAL NOTICES.

Official Publication

Of the Following Proposed Amendment to the Charter of the City of St. Paul, Ramsey County, Minnesota, to be Submitted to the Qualified Voters of Said City, for Adoption at the General City Election, to Be Held in Said City, on the 7th Day of May, A. D. 1912.

CHAPTER I.

To Amend the Charter of the City of St. Paul as Adopted in A. D. 1900 and Amended in 1904, 1906, 1908 and 1910.

The charter of the City of St. Paul as certified by the Board of Freeholders to Honorable Andrew R. Kiefer, Mayor of the City of St. Paul, on the 14th day of April, A. D. 1900, and as amended in said year 1900 and as amended in the years 1904, 1906, 1908 and 1910, is hereby amended by striking out all that portion of said charter following, succeeding or subsequent to the last line of Section 2 of said charter, and by striking out all amendments heretofore adopted and substituting for the stricken portion of said charter and amendments the following to-wit:

Ward Boundaries—Council Cannot Change.

Sec. 3. The said City of Saint Paul shall be and is hereby divided into twelve (12) wards, to be called the First (1st), Second (2nd), Third (3rd), Fourth (4th), Fifth (5th), Sixth (6th), Seventh (7th), Eighth (8th), Ninth (9th), Tenth (10th), Eleventh (11th), and Twelfth (12th) wards, respectively, limited and bounded as follows:

All that portion of said city lying to the eastward of the St. Paul & Duluth railroad track, from the northern boundary of the city to the intersection of said track with Brook street and east of the center line of Brook street and Brook street extended from such point of intersection to the Mississippi river and east of the Mississippi river from said Brook street produced to the south boundary line of the city, shall be the Second (2nd) ward.

All that portion of said city lying south of the center line of the Mississippi river shall be the Sixth (6th) ward.

The Twelfth (12th) ward shall be bounded as follows: Commencing at the northeast corner of Section numbered twenty-two (22) in Township numbered twenty-nine (29), Range twenty-three (23); thence running south to the center line of Carroll street; thence east on the center line of Carroll street to the center line of Dale street; thence north on the center line of Dale street to the northerly boundary line of said city; thence west on the northern boundary line of the city to the place of beginning.

The Eighth (8th) ward shall be bounded as follows: Commencing where the center line of Dale street intersects the north boundary line of the city; thence southerly along the center line of Dale street to the center line of Carroll street; thence east along the center line of Carroll street to the center line of Farrington avenue; thence south on the center line of Farrington avenue to the center line of Marshall avenue; thence east on the center line of Marshall avenue to the center line

First (1st) ward and Ninth (9th) ward; on the east by the Second (2nd) ward; on the south by the Mississippi river, and on the west by the center line of Jackson street.

The Tenth (10th) ward shall be all that portion of the City of St. Paul lying west of the Twelfth ward, as herein described, and north of the center line of University avenue.

The Eleventh (11th) ward shall be all that portion of the City of St. Paul lying west of the Fifth (5th), Seventh (7th) and Twelfth (12th) wards, as herein described, and south of the center line of University avenue.

The Common Council shall not have authority to change the boundary lines of said wards, but may prescribe election district therein.

CHAPTER II.

MUNICIPAL ELECTIONS. When Held.

Sec. 4. A general municipal election shall be held in the City of St. Paul in the year 1914 on the first Tuesday in May and biennially thereafter.

Officers Elected: Term.

Sec. 5. At each general municipal election there shall be elected a Mayor, a Comptroller, and six Councilmen, and the term of office of each of such officers shall be two years beginning with the first Tuesday in June next following their election, and until their respective successors shall have been elected and qualified.

Special Law Officers.

Sec. 6. All other officers whose office is or may be created by special law, and whose election is therein provided for to be held at general municipal elections shall be nominated and elected in such manner and at such time as is by this charter provided, but no other provisions of this charter shall apply to such office or officer.

Election Districts.

Sec. 7. Election districts shall be formed within the respective wards by the common council pursuant to and in conformity with the laws of the state.

General Laws Applicable.

Sec. 8. Except as hereinafter otherwise provided, all general laws of the State of Minnesota relating to elections and the preliminaries thereto, shall insofar as practicable, apply to and govern all general and special elections under this charter, the same as if herein specifically re-enacted.

Canvass.

Sec. 9. On the Thursday next succeeding any election under this charter, the common council shall meet and proceed to canvass the returns thereof and declare the result as it appears from such returns, and the City Clerk shall forthwith give notice to the officers elected by their respective elections.

Nominations.

Sec. 10. The mode of nominating all elective officers of the City of St. Paul to be voted for at any city election shall be as follows and not otherwise:

Condition of Candidacy.

Sec. 11. The name of the candidate shall be printed upon the primary ballot when a petition of presentation shall have been filed in his behalf in the manner and form and under the conditions hereinafter set forth.

Form of Presentation Petition.

Sec. 12. The petition of presentation for any office shall consist of not less than fifty individual certificates, the blank forms of which certificates the City Clerk shall provide, and which shall read substantially as follows:

PETITION OF PRESENTATION.

Individual Certificate.

STATE OF MINNESOTA, COUNTY OF Ramsey, City of St. Paul, ss. Voting District No., Ward No.

I,, the undersigned, being first duly sworn, depose and say that I do hereby join in a Petition of Presentation of, whose residence is, St. Paul, for the office of, to be voted for at the city election to be held in the City of St. Paul on the, day of, 1912, and I further certify that, and that I had elected or am about to elect

No petition of presentation, after the filing thereof, shall be withdrawn, added to, nor any signature thereon be revoked. Defective petitions, or petitions where no acceptance has been filed, remaining in the hands of the clerk after the time for filing has expired, shall be marked "rejected."

Preservation of Petition.

Sec. 13. The City Clerk shall preserve, for a period of two years, all petitions of presentation and all certificates belonging thereto, and after the general election, he shall record in a special book therefor, all acceptances of persons elected to office.

Election Proclamation.

Sec. 14. Not later than twenty (20) days before such election, the City Clerk shall enter the names of the candidates in a list, certify the same to the common council and the said council shall forthwith cause said certified list and the offices to be filled, designating whether for a full or unexpired term, to be published together with a proclamation calling such election, at least twice in the official paper of said city.

Form of Ballot.

Sec. 15. The City Clerk shall cause the ballots for all elections to be prepared and printed as by law and this charter provided, but no such ballot, or sample ballot whether for use in primary, general or special municipal election, shall contain any party designation or marks.

General Election Candidates.

Sec. 16. The two candidates for Mayor, and the two candidates for Comptroller receiving the highest and the next highest number of votes in said primary election for the respective offices for which they are candidates; and the twelve candidates for the council receiving the highest twelve numbers of votes for nominations thereto, shall be declared the nominees; and the only nominees for their respective offices at the next ensuing city election, and their names and only their names shall be printed as such candidates on the official ballots at said election.

Election Informalities.

Sec. 17. No informalities in conducting any municipal election shall invalidate the same, provided it has been conducted fairly and in substantial compliance with law and the provisions of this charter.

Election Regulations.

Sec. 18. The City Clerk, at least fifteen (15) days before the holding of any municipal election, shall give public notice of the time and place of the holding of such election and the hours during which the polls will be open by posting in three public places in every election district a notice, each notice containing a list of the offices to be filled at such election. One of such notices shall be posted at the place of holding the election. No failure of the City Clerk to give or post such notice shall invalidate an election.

Special Elections.

Sec. 19. The council may, by resolution adopted by an affirmative vote of all the members thereof, order a special election and provide for the holding of the same. The purpose of such special election shall be clearly stated in such resolution, and no other matter shall be submitted thereto except as in this charter otherwise provided.

Plurality Vote. Tie Vote.

Sec. 20. In all municipal elections a plurality of votes shall constitute an election. When in any election two or more persons shall receive an equal number of votes for the same office, the election shall be determined by the casting of lots in the presence of the council at such time and in such manner as it shall direct.

New Election.

Sec. 21. Should there be a failure to elect any officer elected by the people on the day designated, the council shall order a special election to be held in accordance with the provisions of this charter.

Vacancies.

Sec. 22. Whenever a vacancy shall occur in the office of any officer elected by the people such vacancy shall be filled by election by the Council.

line of Nelson avenue; thence east on the center line of Nelson avenue to the center line of Summit avenue; thence northeasterly on the center line of Summit avenue to the center line of Rice street; thence northerly along the center line of Rice street to the northern boundary of the city; thence west along the northern boundary line of the city to the place of beginning.

The Seventh (7th) ward shall be bounded as follows: Commencing at a point of intersection of center line of West Third street with center line of College avenue; thence southwesterly through the center of Blocks numbered respectively Sixty-four (64) and Seventy (70) of Dayton & Irvine's Addition, to the center line of Irvine avenue at its point of intersection with center line of Walnut street; thence southwesterly along center line of Western avenue; thence south along the center line of Western avenue to center line of Pleasant avenue; thence southeasterly along said center line of Pleasant avenue to the center line of St. Clair street; thence west along the center line of St. Clair street and St. Clair street extended, in a straight line to the southwest corner of the Southwest quarter (34) of Section three (3), in Township numbered twenty-eight (28), Range twenty-three (23); thence north in a straight line to the center line of Marshall avenue; thence easterly along center line of Marshall avenue to center line of Lexington avenue; thence north along center line of Lexington avenue to center line of Carroll street; thence easterly along southern boundaries of the Twelfth (12th) ward and of the Eighth (8th) ward, as herein described, to center line of Summit avenue, thence southwesterly along center line of Summit avenue to center line of West Third street; thence southeasterly along center line of West Third street to place of beginning.

The Fifth (5th) ward shall be bounded as follows: Commencing at the intersection of the center line of West Third street with the center line of College avenue; thence southeasterly along center line of West Third street to center line of Eagle street; thence southeasterly along center line of Eagle street to the Mississippi river; on the north by the Mississippi river; and on the south by the Mississippi river; and on the west by a line commencing at the southwest corner of Seventh (7th) ward, as herein described, and running thence south to the Mississippi river.

The Ninth (9th) ward shall be bounded as follows: On the north by the northern boundary of the city; on the east by the center line of Mississippi street and Mississippi street extended in a straight line to the northern boundary of the city; on the west by the center line of Rice street, and on the south by a line which commences at a point of intersection of center line of Rice street with center line of Summit avenue, and runs thence northeasterly along said center line of Summit avenue to the center line of Wabasha street; thence northeasterly along center line of Wabasha street to center line of East Summit avenue; thence northeasterly along said center line of East Summit avenue to center line of Robert street; thence northeasterly along said center line of Robert street to center line of Thirteenth (13th) street; thence northeasterly along said center line of Thirteenth street to center line of Jackson street; thence southeasterly along said center line of Jackson street to center line of Grove street; thence easterly along said center line of Grove street to its point of intersection with the center lines of Broadway and Mississippi streets.

The Fourth (4th) ward shall be bounded as follows: On the east by the center line of Jackson street; on the north by the Eighth (8th) and Ninth (9th) wards; on the west by Seventh (7th) and Fifth (5th) wards; and on the south by the Mississippi river.

The First (1st) ward shall be bounded as follows: On the north by the northern boundary of the city; on the east by the Second (2nd) ward; on the west by the Ninth (9th) ward; and on the south by the center line of Grove street.

The Third (3rd) ward shall be bounded as follows: On the north by the

above named office, except where there is more than one office to be filled, and that in such case I have not signed more petitions than there are offices or places to be filled in the above named office; that my residence is at No. St. Paul, and that my occupation is and my place of business is at

(Signed)
Subscribed and sworn to before me this day of 19....

City Clerk (or Deputy.)
The petition of presentation of which this certificate forms a part if found insufficient, shall be returned to No. St. Paul, Minn.

Requirement of Certificate.
Sec. 13. Each certificate shall be a separate paper, of uniform size, contain the name of but one signer, the name of but one candidate and no more, shall in no way disclose the political party affiliations of either the candidate or signer, and shall contain the name and address of the person to whom the same shall be returned in the event of the petition having been found insufficient. Each signer shall be a qualified elector of such city, resident therein for a period of thirty (30) days prior to the signing of such certificate, shall not have signed any other certificate for any other candidate for the same office, except where there are several places or offices of the same nature to be filled and shall not have signed more certificates for such offices than there are places or offices to be filled, and shall verify his certificate before the City Clerk or his deputy.

Presentation and Examination of Petition.

Sec. 14. A petition of presentation shall be presented to the City Clerk not less than thirty (30) days before any primary election, and the clerk shall endorse thereon the time of presentation. Thereafter, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this charter. If found not so to conform, he shall then and there in writing which he shall attach to said petition fully designate the defect or reason why such petition cannot be filed, and shall forthwith return such petition to the person therein named to receive the same. The petition may then be amended and again presented to the City Clerk as in the first instance. The clerk shall thereupon forthwith proceed to examine the amended petition as hereinbefore provided.

Withdrawal of Signature.

Sec. 15. Any signer to a certificate of presentation may withdraw his name from the same by filing with the City Clerk a verified revocation of his signature not later than three days before the last day for filing said petition, and thereafter he may sign a petition for another candidate for the same office, provided that no signer of a presentation petition may be permitted to withdraw his name after the candidate named therein has filed his acceptance.

Acceptance or Withdrawal of Candidacy.

Sec. 16. Any person presented as a candidate shall, not later than twenty-one (21) days before the primary election for which he is presented, file with the City Clerk, in writing, his acceptance of such presentation, otherwise he shall be deemed to have withdrawn such candidacy. Said acceptance must designate the office for which he is a candidate, refer to the petition thereof, the date of the presentation of such petition and shall be signed by the candidate and have his address added thereto. It may contain a statement not to exceed fifty words of his principles or policies for the office for which he is a candidate, but shall in no way disclose his political party affiliations.

Filing of Petition.

Sec. 17. When either the original or the amended petition of presentation is found sufficient and the candidate presented has filed his acceptance as hereinbefore provided, the City Clerk shall file such petition not later than twenty (20) days before such primary election.

the officer thus elected shall hold office until the next general municipal election.

Any officer removing from the office or any officer who shall neglect or refuse for ten days after the beginning of his term, or notice of his appointment, if appointed, to qualify, and enter upon the discharge of the duties of his office, shall be deemed to have vacated his office, and the council shall proceed to fill the vacancy as herein prescribed.

Removal from Office.

Sec. 28. Every person appointed to any office by the Mayor, or the council or elected to office by the people may be removed from such office by the council, by a five-sevenths affirmative vote of all the members elected. No officer elected by the people shall be removed except for cause nor shall such person shall have had a reasonable opportunity to be heard in his defense. The council shall have the power to fix the time and place of the trial of such officer, of which not less than (10) days' notice shall be given, and to compel the attendance of witnesses and the production of papers at such trial, and to hear testimony and to determine the case. If such officer shall neglect to appear and answer such charges the council, by the vote aforesaid, may declare the office vacant. In such cases, the council shall act by written resolution only, and said resolution shall contain a summary of the charges against said officer and the reasons for his removal.

Sec. 28a. There shall also be elected at the general city election to be held on the first Tuesday in May, in the year 1914, and at the general city election held each four years thereafter, two judges of the municipal court of said city. The term of office of said judges shall be four years from and after the first Tuesday of June next succeeding their election, and until their respective successors shall have been elected and qualified. There shall be nominated and elected according to the provisions of law applying thereto, and there shall also be nominated and elected according to the provisions of law such justices of the peace and such constables as are by law provided, and from districts and in such manner as the laws direct.

CHAPTER III.

RECALL ELECTIONS.

Officers Recallable.

Sec. 28b. Any person holding an elective municipal office, except those created by special law, may be removed therefrom by recall, as herein after provided.

Per Cent for Recall.

Sec. 29. An election for the recall of any officer elected by the people shall be held whenever a petition signed by qualified electors of the city equal in number not less than twenty-five (25) per cent of the total vote cast for the office of Mayor at the last preceding general municipal election demanding the removal of the officer therein named shall be filed with the City Clerk.

Petition: Its Form.

Sec. 30. Every recall petition shall state the name of the officer sought to be recalled, the office which he holds and briefly the grounds for his recall. It shall be addressed to the council and may consist of one or several papers, but each paper shall repeat the words of the petition at the head thereof.

Signatures.

Sec. 31. Each signer to such petition shall have been a qualified voter at the last general election, municipal or otherwise, and shall write thereon, in ink, his name, the street and number of his residence at the said election, the ward and precinct in which he voted at such time, and the street and number of his present residence.

Each separate page of the said petition shall have appended thereto a certificate verified by oath, that each signature was signed by the person so purporting to have signed the same in the presence of the person making such certificate.

Any name appearing on the petition not complying with the foregoing requirements shall be stricken therefrom by the City Clerk by marking opposite

the same, "Stricken by the City Clerk," and no names shall be counted which have not been verified as hereinbefore provided.

Presentation and Filing Petition.

Sec. 32. Whenever any recall petition shall be presented to the City Clerk, he shall note on each thereof the date of presentation, and shall consecutively number each page, and shall thereafter forthwith examine the same as to its sufficiency, and if so found he shall forthwith file the same in his office, notify the officer sought to be recalled of such fact, and present the same to the council at its regular or special meeting.

Amending Petition.

Sec. 33. Whenever any recall petition shall be found insufficient or defective by the City Clerk, he shall return the same to the person or persons therein named to receive the same together with a statement in writing of such defects, and the said petition may be amended and presented as often as necessary until the same be found sufficient and be filed.

Officer's Resignation.

Sec. 34. Any officer recalled may resign from such office within five days after the recall petition shall have been filed by the City Clerk, and if he shall not so resign within the time aforesaid he shall be deemed a candidate at the recall election hereinafter provided, and his name shall be placed on the ballot without any further act on his part.

Recall Elections.

Sec. 35. Within ten days after the recall petition by him duly filed to the council, the said body shall order a special election to be held within sixty days to determine whether such officer sought to be recalled shall be removed and his successor elected at the same time, provided, however, that in case any general election shall occur within ninety days and not less than twenty-one days after the presentation of such petition to it, the council shall postpone such recall election to such time, and provide that the question of such removal be determined at such general election.

Election Call.

Sec. 36. In the published call for an election, there shall be printed in full the names of all officers sought to be recalled, and in not exceeding the same number of words, the officer sought to be recalled may reply his course in office.

Other Candidates.

Sec. 37. Other candidates for such office may be nominated for such office in the same manner as is by this charter provided for presentations for the primary election, except, however, that there shall be not less than one hundred individual certificates to a petition of nomination and that the same shall be presented to the City Clerk not later than twenty-one (21) days prior to such election, and shall be filed by said clerk not later than twenty (20) days prior to such election.

Incumbent Removed.

Sec. 38. The officer sought to be recalled, shall continue in office until the canvass of the returns of such recall election by the council, and if he fail at such election to receive the highest number of votes, he shall be deemed removed from office and the candidate at such election receiving the highest number of votes shall be deemed his successor in office for the unexpired term thereof. Such successful candidate, except the recalled officer, shall qualify within ten days thereafter or the said office shall be deemed vacant, and the recalled officer shall yield said office on demand to his successor.

Registration.

Sec. 39. All polling places shall be open from six (6) o'clock in the morning until nine (9) o'clock in the evening on the day of the recall election. Lists of voters at each recall election not in connection with any other election shall be those prepared by the City of St. Paul preceding election in the City of St. Paul provided that on the day of the recall election otherwise qualified voters not already registered thereat shall be as to entitlement to vote at such election, shall be

Mayor, \$5,000 per annum; Comptroller, \$5,000 per annum; Commissioner of Finance, \$4,500 per annum; Commissioner of Public Works, \$4,500 per annum; Commissioner of Public Safety, \$4,500 per annum; Commissioner of Education, \$4,500 per annum; Commissioner of Parks, Playgrounds and Public Buildings, \$4,500 per annum; Commissioner of Public Utilities, \$4,500, provided that the salaries named in this section shall be full remuneration for all services of said officers to the City of St. Paul of whatever kind and character, and provided further that all of said officers shall devote their entire time and energies to the service of said city. The Corporation Counsel shall receive an annual salary of \$5,000; the City Clerk, \$3,000; the Chief of Police, \$4,000; the Chief of the Fire Department, \$4,000; the Commissioner of Health, \$4,000; the Superintendent of Schools, \$5,000; salaries or remuneration of all other officers and employees, not fixed in this charter, shall be fixed by the Council, but no officer employed for a fixed term, or serving continuously for more than a year shall be paid a salary in excess of \$5,000 a year.

Compensation of Officers and Employees Not Fixed by Charter.

Sec. 46. The compensation of all officers and employees not fixed by this charter or by state law shall be fixed by ordinance by the council, passed by a four-seventh affirmative vote of all members elected to the Council. The Council shall have no power to change the compensation of any officer for the term for which he was elected or appointed, nor within sixty days of a municipal election. Such compensation shall be first fixed by the Council, first elected under this charter and shall take effect at such time as the ordinance so fixing it shall provide.

No Extra Compensation.

Sec. 47. No officer or employee shall receive from the City of St. Paul, or the County of Ramsey, any other or greater sum than the salary provided for in or pursuant to this charter in any manner for services performed; and such salaries shall be taken as including compensation for all services rendered by any of said officers or employees in any other office or employment for said city or while acting in any other capacity, or upon any board or committee, and if by the provisions of any law or ordinance any such officer shall be or shall become entitled to receive any other compensation or fees such compensation or fees shall be turned into the city treasury and credited to the general fund.

Oath of Office.

Sec. 48. Every person appointed to office under this charter except employees paid by the day or hour, shall before he enters upon the duties of his office take and subscribe an oath of office, in the form prescribed by the general statutes of this state, and file the same with the Comptroller.

Notice by City Clerk.

Sec. 49. Every person elected or appointed to office shall as soon after his election or appointment as may be, be notified by the City Clerk of his election or appointment, and as to the requirements of this charter respecting oaths of office and official bonds pertaining to such office.

Failure to Qualify.

Sec. 50. Any person elected or appointed to office under this charter, who shall refuse, fail or neglect to qualify for said office within ten days of this time provided for in this charter, or if no specific time provided, shall fail to qualify within ten days, of said notification, shall forfeit his office by said failure and said office shall be vacant from the time of said failure and shall be filled in the manner of filling vacancies due to other causes.

Official Bonds.

Sec. 51. Each of the following named officers shall furnish and file as hereinafter provided, a bond to the City of St. Paul, for the following amounts:

- Commissioner of Finance, \$200,000;
- Comptroller, \$50,000;
- Purchasing Agent, \$50,000;
- City Clerk, \$5,000;
- Mayor's Secretary, \$5,000;
- Superintendent of the Auditorium, \$5,000;
- Secretary of the

council from time to time. Remuneration of persons in the employ of the City of St. Paul shall be uniform for like services in all departments. In all city employment, eight hours shall constitute a working day, and except in cases of emergency, of which the executive head of the department declaring the emergency shall be sole judge, no officer or employe of the city, except police officers and firemen, shall be required to work more than eight hours a day. No officer or employe of the city shall receive extra pay for extra labor or work done in an emergency, except by unanimous action of all persons elected to the city council approved by the Mayor and Comptroller. Whenever any department head shall declare an emergency, he shall report at the next succeeding meeting of the council, giving in detail the circumstances creating the emergency, and his report shall become a public record. By two-thirds vote the council may direct that the work of the department proceed on a normal basis.

CHAPTER V.

Mayor: Qualifications, Duties.

Sec. 54. The Mayor of the City of St. Paul shall be a qualified elector of said city. He shall take care that the ordinances of said city and the laws of the State of Minnesota are duly observed and enforced and that all other executive and administrative officers of the city discharge their respective duties. He shall, from time to time, give to the council such information and shall recommend such measures as he may deem advantageous to the city.

To Preside at Council Meetings.

Sec. 55. The Mayor shall preside at the meetings of the council and shall vote on all business before that body, just as shall councilmen, provided that when the question before the council is sustaining the mayor's veto, or passing any ordinance or resolution notwithstanding the Mayor's veto, or upon the removal from office of any person on charges preferred by the Mayor, then the Mayor shall have no vote thereon.

Acting Mayor.

Sec. 56. During the absence of the Mayor from the city and in case of his inability or failure to act as Mayor for any cause whatever, the Vice-President of the City Council shall be acting Mayor.

Mayor to Assign Department Heads.

Sec. 57. Immediately upon taking the oath of office, it shall be the duty of the Mayor to assign one member of the newly elected council as Commissioner of Public Safety, one member of said council as Commissioner of Education, one member of said council as Commissioner of Public Works, one member of said council as Commissioner of Parks, Playgrounds and Public Buildings, one member of said council as Commissioner of Public Utilities and one member of said Council as Commissioner of Finance.

Mayor May Re-Assign.

Sec. 58. On the first Monday in December next after taking the oath of office the Mayor may re-assign at his discretion any member of the council, removing him from the head of one administrative department and placing him at the head of any other, if, in the judgment of the Mayor the interests of said city may be served thereby. Each councilman shall, until the end of the term for which he has been elected, continue to occupy the position as commissioner which he occupies the first Tuesday of said December.

Mayor to File Charges: Removal.

Sec. 59. When in his judgment any Councilman, as Councilman, or as the head of any administrative department, has not conducted the business of the city honestly, faithfully and with reasonable skill, it shall be the duty of the Mayor to file with the City Clerk charges against said officer, and on the basis of said charges with reasonable specifications as to the concrete instances of dishonesty, unfaithfulness or incompetency charged, it shall be the duty of the council to publicly try the truth or falsity of such charges, and if found true and of sufficient gravity to constitute unfaithfulness or incompetency on the part of the accused, the council shall remove said officer from office. At the time of removal from office, the Mayor shall

and it is hereby made the duty of all election officers to provide supplementary registration for purposes of such registration. No elector shall be questioned as to party affiliations.

General Laws Apply.

Sec. 40. Insofar as practicable all laws and provisions shall apply to such recall election and, the preliminary thereto, and where inapplicable the council shall by ordinance provide such other and further regulation consistent herewith as may be necessary to carry out the provisions of this chapter.

Recall Limitations.

Sec. 41. No recall petition shall be filed against any officer until he has been in office for six months, and none within six months of the end of his term.

Penalty for Removal.

Sec. 42. No person who has been removed from office by recall, or has resigned from office after the filing of a recall petition, shall be appointed to any office under this charter within one year after such removal or resignation.

CHAPTER IV.

Boards Abolished. Charter in Effect. Salaries. Bonds. Terms of Office. Path of Office. Notice. Failure to Qualify. Incapacitated Police and Firemen. Hours of Labor.

Sec. 42. The Board of School Inspectors, the Board of Police, the Public Workhouse Board, the Board of Park Commissioners, the Board of Library Directors, the Board of Fire Commissioners, the Board of Public Works, the Conference Committee and the Auditorium Board are hereby abolished to take effect from the time when the City Officers elected under this charter to perform the respective functions of these boards are elected and have qualified, and all said abolished boards and the members thereof shall turn over to said city officers forthwith on demand, all books, records, property and all other articles and things in their possession or control, belonging to the City of St. Paul, or any of its departments or officers. Failure to comply with this section by any person shall constitute a misdemeanor punishable by fine or imprisonment, or conviction in the municipal court or other court of record in Ramsey County.

Sec. 43. In so far as may be practicable this amendment shall go into effect January 1, 1914, and all city elections taking place subsequent to that date shall be held under this charter. For all purposes it shall take full effect upon the first Monday in June, A. D. 1914, and all officers elected under this charter shall take office on that day.

Sec. 43A. All contracts and obligations of whatsoever kind or nature entered into by the City of St. Paul, or by any person or persons whatever in its behalf, and valid and binding upon said city under the charter in force at that time, shall be equally valid and binding under this charter as amended. All provisions of the charter to which this amendment applies necessary to supplement the amended charter until officers are elected, have been qualified and been assigned their duties under this amendment, shall have full force and effect until superseded in practice by the city government provided for in this amendment.

Terms of Office Shall Terminate.

Sec. 44. The terms of office of all officers of the City of St. Paul in office prior to the first Monday in June, A. D. 1914, unless otherwise provided in this charter shall terminate upon said first Monday in June, at 12 o'clock noon, and all said officers shall remain in office until their successors have been elected or appointed under the terms of this charter and shall have qualified. Any person violating this section shall be guilty of a misdemeanor.

Salaries.

Sec. 45. The salaries of elective officers of the City of St. Paul shall be paid in equal monthly installments out of a "City Officers' Salary Fund," which is hereby established, and shall be as follows:

Public Safety, \$10,000; Commissioner of Public Works, \$10,000; Commissioner of Parks, \$10,000; Commissioner of Buildings, \$10,000; Commissioner of Public Utilities, \$10,000; Superintendent of Parks, \$5,000; Clerk of the Municipal Court, \$3,000; First Assistant Clerk of the Municipal Court, \$1,000; Justices of the Peace, \$1,000 each; Constables, \$1,000 each.

Such bonds shall be drawn or approved as to form by the corporation counsel, so as to bind said officers for the faithful performance of their respective duties. The council shall have power to add any conditions it may see fit or to increase any of said bonds where thought necessary, not exceeding fifty per cent, or to require reasonable bonds of other officers or employees. Said bonds shall be approved by the Council and filed with the Comptroller, except that the Comptroller's bond shall be filed with the Commissioner of Finance.

Any person who refuses or neglects to furnish a bond as herein provided shall thereby forfeit his office.

The bond of every officer shall be deemed to cover the acts of his deputies and subordinates unless the council shall provide that said deputies or subordinates be bonded directly to the City of St. Paul. The council may provide that the city shall pay the premium on all surety bonds of officers or employees running to the City of St. Paul. Officers may require for their own protection reasonable bonds from deputies or subordinates.

All official bonds to the City of St. Paul not written by surety companies qualified under the laws of the state to do business in Minnesota shall be executed by two sureties each of whom must qualify under oath that he is the owner of unencumbered real estate of value at least equal to the amount of said bond. All official bonds shall be executed by the principal therein.

Incapacitated Firemen or Police Officers.

Sec. 52. All firemen or police officers injured in actual service and thereby rendered incapable of performing his duty, shall receive full pay during the period of incapacity not exceeding six months, and if incapacitated for a further period, one-half pay not exceeding an additional period of six months. Such injured fireman or police officer shall be entitled to re-instatement at any time within eighteen months from the date of injury or incapacity, if physically capable of resuming his duties. In case of disability through injury or sickness other than as hereinbefore mentioned, in case of firemen, such firemen shall, notwithstanding such sickness or injury, receive his salary, less the amount paid a substitute, if any substitute is employed, for a period not exceeding twelve months, and he shall likewise be re-instated within any time within eighteen months from the date of such sickness or injury provided he is physically capable of resuming his duties. Any temporary advancement caused by sickness or injury shall not work an increase in salary of the person so advanced, during the time of disability of the person on account of whose disability such advancement was made. Before any payment shall be made as aforesaid, said disability shall be certified to by the City Physician and the Police Surgeon and the person injured or disabled shall execute a release discharging the City of St. Paul from all claim for damages on account of said injury or disability.

Terms of Office: Hours of Labor.

Sec. 53. The terms of office of all officers elected under this charter shall be two years and until their successors are elected and shall have qualified, to date from the first Monday in June, A. D. 1914, and from the first Monday in June of each even numbered year thereafter, provided that all said officers shall hold office subject to removal in the manner provided for in this charter.

All persons in the service of St. Paul, paid salaries in monthly installments, and whose terms of office have not been specifically fixed, shall hold their places from month to month after appointment until removed under the terms of this charter. Their title and general duties shall be fixed by the

city council, and shall be a permanent public record. Removing Non-Elective Officers and Employees.

Removing Non-Elective Officers and Employees.

Sec. 60. When, in the judgment of the Mayor, any officer or employe appointed under the provisions of this charter is not performing his duties honestly, faithfully and efficiently, the Mayor shall so notify the officer or the body having the power of appointing said officer or employe, stating the facts as specifically as may be, and shall ask said appointing officer or body to remove said officer or employe. If said officer so requested, refuses or neglects to act, then the Mayor may in his discretion remove said offending appointive officer or employe by an order in writing addressed to the appointing officer or body, and containing specific reasons for the removal. Said officer, or employe so removed may, if he wishes it, have power to reply to the Mayor's charges and may before so replying, demand a bill of particulars, which the Mayor shall furnish as fully as practicable, and such charges, such letters of removal, such statement of particulars and such reply shall be filed with the City Clerk as a permanent public record of the city. Provided, however, that the Mayor shall not have power to remove any officer or employe appointed by the Comptroller.

To Examine Securities.

Sec. 61. It shall be the duty of the Mayor and Comptroller at least once in each three months, to examine all the securities in the city treasury, belonging to the city, including those securities held for the sinking fund, and upon finding all such securities properly on hand, to make out and file in the office of the Comptroller their joint certificates to that effect, which certificates shall specify such securities in detail.

Committee on Sinking Fund.

Sec. 62. The Mayor, Comptroller and Commissioner of Finance shall be a Committee on Sinking Fund, having control thereof in the manner in this charter provided.

Mayor a Member of the Board of Equalization.

Sec. 63. The Mayor shall be a member of the Board of Equalization.

Mayor to Sign Instruments.

Sec. 64. The Mayor's signature shall be required on all deeds, leases and other instruments executed by the City of St. Paul, for the conveyance of real estate or any interest therein.

Papers Served on Mayor.

Sec. 65. Whenever any suit, action or proceeding shall be brought against the City of St. Paul, the summons or process shall be served on the Mayor, and it shall be the duty of the Mayor forthwith to give written notice thereof to the Corporation Attorney, attaching thereto the summons or process so served.

The Mayor's Salary.

Sec. 66. The Mayor of the City of St. Paul shall for his services as Mayor, draw from the city treasury the sum of \$5,000 each year of his term, payable in equal monthly installments. He shall have power to employ a secretary who shall be paid by said city \$2,000 a year, payable in equal monthly installments, and shall employ such other clerical assistants as the council shall, by ordinance designate at his request, provided that the salaries of all persons regularly employed by said Mayor as such clerical assistants shall not exceed \$5,000 in any one calendar year, including the salary of this secretary.

Other Duties of the Mayor.

Sec. 67. The Mayor shall exercise such other powers and perform such other duties as may be prescribed by state law, by this charter, or by any

ordinance not in conflict with the provisions of this charter.

CHAPTER VI.

CITY COMPTROLLER.

Shall Keep Controlling Accounts.

Sec. 68. The Comptroller shall be head of the accounting department of the City of St. Paul. He shall keep controlling accounts with every department and bureau of the city government, and with all activities whatever owned or controlled by the City of St. Paul or in which the City of St. Paul has any pecuniary interests.

To Prepare Forms.

Sec. 69. From time to time the Comptroller shall prepare forms of accounts, vouchers, reports, bills, orders, receipts, checks, and other necessary forms to be used by the several city departments, bureaus or activities with which the Comptroller keeps accounts, in the transaction of all such parts of the public business as concern the public finances. He shall incorporate said forms into an ordinance which shall be considered and passed by the council. The Comptroller shall, from time to time, issue the forms herein named to the city departments, bureaus and activities herein named to be used in the parts of the public business which concern the public finances. The wilful failure or refusal by any city officer or employe to use any such form in the transaction of the business for which the same was designated to be used, shall be deemed wilful misconduct in office of such officer and sufficient ground for his removal from office. Said Comptroller shall issue all financial forms which shall be numbered consecutively for each department for each year so as to be capable of identification, and all city officers to whom they are issued must account for each form delivered to him, at such times as the Comptroller may direct. All city licenses shall be considered financial forms within the meaning of this section.

Fiscal Year.

Sec. 70. The fiscal year in all departments of the city shall begin January 1.

System of Accounts.

Sec. 71. The Comptroller shall keep regular books of account in which shall be entered all indebtedness of the city, and which at all times show the precise financial condition of the city; the amount of bonds, orders or other evidences of indebtedness lawfully issued; the amount of the same which has been paid and the amount of each thereof remaining outstanding. He shall countersign all bonds and other evidences of the city's indebtedness and keep an extract account and record of each instrument, stating to whom and for what purpose the same has been issued. He shall keep accounts with all the receiving and disbursing officers of the city, and all departments, bureaus and activities mentioned in the second section of this chapter. These accounts shall show the amount received by them from each of the various sources of revenue and the amount which they have disbursed under resolution or ordinance of the council or other legal mandate. The Comptroller shall at all times have access to all reports, books, vouchers and accounts in each and all of the departments, bureaus or activities herein above mentioned, and it shall be his duty frequently to inspect the same in order to insure the keeping of the same properly and efficiently, and in the mode contemplated by the law by this charter. The Comptroller shall prescribe and issue with the approval by ordinance of the council such a system of controlling accounts, documents and reports for his own office, and each department bureau, or activity of the city government as shall most effectively keep a correct record of the business of the city. It shall be the duty of the Comptroller to see that the accounts of his own and other officers of the city and its departments, bureaus and activities are so kept that they will conform to the best system of accounting adopted in other cities of the country and readily admit of the comparison of St. Paul's city government and finances with those of such other cities.

Shall Approve

The Comptroller shall appoint an auditor not exceeding \$3,000 a year to be fixed by the Comptroller, accountant, who shall be a skilled accountant, a qualified civil engineer

the date of the passage thereof, under authority of which such order is drawn.

Payment by Check: Receipts.

Sec. 78. All payments from the city treasury shall be by check upon city depositories, under such system of warrants and vouchers as the council may on the recommendation of the Comptroller adopt. For all moneys paid into the city treasury, the city treasury shall issue duplicate receipts under such a system that these receipts must be countersigned in the Comptroller's office before they are valid, and one must be retained there as a permanent record. The duplicate receipt shall be handed over by the comptroller to the person who makes the payments.

Comptroller to Check Treasury Each Day.

Sec. 79. On each business day after the close of receipts and payments in the city treasury, the Comptroller shall check all the receipts and disbursements of such day; and the treasury shall deliver to the Comptroller all evidences of the payment of moneys that have come to its possession during the day; the same after adequate cancellation of all instruments in the form of commercial paper, to be retained as part of the records of the Comptroller's office until destruction of the same shall have been authorized by the council, provided that the stubs of receipts issued for moneys paid into the treasury may be retained by the treasury where duplicate receipts have been placed in the hands of the Comptroller.

Treasurer to Report.

Sec. 80. At the close of each day's business the treasurer shall make to the Comptroller a statement showing with respect to each city fund the amount of the annual appropriation for such fund, the amount of money on hand to its credit at the beginning of business on that day, the amount of receipts to its credit on that day, the amount of payments made for it on that day.

To Act in Harmony.

Sec. 81. The business hours of the Comptroller's office and the city treasury shall be so fixed and the offices shall be so arranged as to permit the convenient transaction of the business therein, in the mode prescribed in accordance with the provisions of this charter. In the event of the Comptroller and treasury failing to agree upon such arrangements, the Mayor shall make an order arranging proper conditions.

Custodian of Documents.

Sec. 82. The Comptroller shall be custodian of all official and other surety bonds relating to the city's business, of all deeds, insurance policies and other contracts and agreements except as may otherwise be provided in this charter.

To Take Up Evidence of Indebtedness.

Sec. 83. Upon payment to the treasury of any note, order, bond or coupon, it shall require the surrender thereof and shall take the same into its possession as evidence of such payment. The Comptroller may require the taking by the treasury of such other evidences of payment, in any case, as he may deem necessary for the due protection of the city and the safe or convenient transaction of its financial business.

To Complete Record.

Sec. 84. The Comptroller shall at all times keep a full and complete record of all deeds, bonds, insurance policies, contracts, agreements, and other instruments of a similar nature in his custody belonging to the city, or any department, bureau or activity thereof, showing the disposition, if any thereof; and also a complete record of all securities whatever coming into the hands of the Commissioner of Finance, showing the disposition, if any, thereof.

Shall Be Member of the Sinking Fund Committee.

Sec. 85. The Comptroller shall be a member of the sinking fund committee. With the Mayor he shall from time to time examine the securities in the hands of the City Treasurer, and see that they are properly and safely kept.

Responsible for Legality of Contracts.

Sec. 86. The Comptroller shall refuse to countersign any contract to which the City of St. Paul is a party, unless all the requirements of this charter and the laws of the state and the ordinances of the City of St. Paul

partment in which employed are specified on said roll, except as in the charter otherwise provided. All claims for services by the day or hour must be supported by an adequate time report showing services rendered. Claims for supplies for emergency requisitions must be certified to by the purchasing agent setting forth facts constituting the emergency. No requisition shall be certified or honored by any city officer or employe unless it shows on its face that the Comptroller has certified that there are available funds to pay for the thing requisitioned. No claim for general supplies in bulk in anticipation of requisitions therefor shall be allowed unless such supplies have been duly delivered to the city and duly inspected. Whenever supplies are bought in bulk by the purchasing agent in anticipation of requisitions therefor, said purchasing agent shall make such report as the Comptroller may prescribe, giving all details as to prices, amounts, cost, evidences of delivery, and all other details necessary for the protection of the city. When satisfied as to all details the Comptroller shall draw a proper warrant covering such claims as have been satisfactorily proved, and shall apportion the payments to the several departments so that each shall pay for the supplies actually purchased for and to be used by that department. Each item shall be charged to the appropriate fund.

Except for supplies so bought in bulk, no claim for supplies shall be allowed unless supported by a requisition approved by the Comptroller; and unless prices thereof are certified by the purchasing agent as correct; and unless properly inspected. Where purchases are made under contract, claims for payment thereof shall not be allowed unless the contract has in all respects been complied with. All contract work must be properly inspected and reported upon as done in accordance with the terms of the contract, and all materials as complying with specifications; must be approved by the department for which it has been performed; must have been covered by the bond required under this charter; and the contractor must make affidavit that all claims for services and material used in connection therewith have been paid in full to date, before any claim shall be allowed or paid by the city. No final claim or estimate on any contract work shall be paid until the contract is fully completed and properly accepted by the proper city officers as provided for in this charter.

No claim for extra labor or material shall be allowed unless the cost thereof has been fully agreed upon by the department for which the labor or material is furnished and the contractor, and a memorandum of said agreement has been filed with the Comptroller and countersigned by him prior to the furnishing of such extra labor or material.

All disbursements expressly required by the laws of the state, or to maintain the credit of the city shall be allowed subject to the ruling of the corporation counsel as to their legality. All disbursements authorized by the council from moneys under the direct control of the council, may be allowed by the Comptroller on receipt of such authorization and subject to the terms thereof.

Board of Control and City Hall and Court House Committee.

Sec. 96. The limitations in the last preceding sections shall not apply to claims against the Board of Control and the City Hall and Court House Committee. On recommendation of the Comptroller the council may provide by ordinance for such arrangement as said Comptroller may be able to make, and which he and said council may deem desirable, with the County of Ramsey for monthly or semi-monthly settlements of all claims against the city for the city's share of the expenses of the Board of Control and the City Hall and Court House Committee, provided that before payment all such claims shall be audited by the Comptroller and supported by the proper evidence of payment on the part of the county.

Council May Audit.

Sec. 97. The council may audit the accounts of any department or activity of the city, or any other person in the employ of the city.

May Keep Cost Accounts.

Handwritten note: "The Comptroller shall keep a correct record of the business of the city."

REVIEW.

Commissioner in cases of emergency and pending appointment from an eligible list. But no such temporary employment shall continue longer than sixty days nor shall successive temporary employments of the same person be allowed.

I. For transfers from any position to a similar position in the same class and grade and also for reinstatement within one year of persons who without fault or delinquency on their part are separated from the service or reduced.

J. For promotion based on competitive examination and upon a record of efficiency, character, conduct and seniority. Lists shall be prepared and merit and promotions made therefrom in the same manner as provided herein for original appointments. Any advancement in rank or any increase in salary shall be within the limit fixed by the rules and shall constitute a promotion. Whenever practicable vacancies shall be filled by promotion.

K. For suspensions for not longer than thirty days and for leaves of absence.

L. For discharge or reduction either in rank or compensation after appointment or promotion only when the person to be discharged or reduced has been presented with the reasons for such discharge or reduction, specifically stated in writing and has been allowed a reasonable time to reply thereto in writing. The reasons and the reply must be filed as a public record with the Commissioner.

M. For the appointment of unskilled laborers in the order of priority of application after such tests of fitness as the Commissioner may prescribe.

Exceptions to Rules.

Sec. 102. In cases of a vacancy in any office which requires peculiar or exceptional qualifications of a scientific, professional or expert character, and upon satisfactory evidence that competition is impracticable and that the office can best be filled by the selection of some designated person of recognized attainments, the Commissioner may, with the written consent of the Mayor, suspend competition, but such suspension shall be general in application to such office and all such cases of suspension shall be reported, together with the reasons therefor, in the annual reports of the Commissioner.

Examinations.

Sec. 103. All examinations shall be partial and shall have reference to the duties and requirements of the office or position to be filled. When oral tests are employed, a complete record of questions and answers shall be made. Examinations shall be in charge of the chief examiner, except when the Commissioner shall act as examiner. The Commissioner may call other persons to conduct or mark examinations and when such persons are connected with the city service they shall be deemed a part of their official duty to act as such examiners without any compensation.

Present Incumbents.

Sec. 104. All persons holding positions in the Classified Service of the city as established by this charter, at the time it takes effect, shall retain their positions until discharged, re-elected, promoted or transferred in accordance therewith. The Commissioner shall keep as a public record a civil list of all persons in the service of the city which shall show the name of the officer or employee, the office or position held, the date and character of every appointment and of every subsequent promotion, and reduction, and every change in salary or title. Each appointing officer shall promptly transmit to the Commissioner all information required for the completion of said civil list.

Prohibitions.

Sec. 105. No treasurer or other public officer of the city shall receive any salary or compensation for any person holding a position in the Classified Service unless the bill or account for such salary or compensation shall bear the certificate of the Commissioner that the persons named therein have been appointed or employed and are performing service in accordance with the provisions of this charter and of the rules established thereunder. Any taxpayer or

Officers: (a) Vice-Presidents.

Sec. 113. On the first Tuesday of June of each even numbered year, or as soon thereafter as practicable, the council, by ballot, shall elect from its members a vice-president and a second vice-president, each of whom shall hold office for a term of two years beginning with the said first Tuesday and until their successors are elected.

(b) City Clerk.

At the same time and for the same period or term and in the same manner, the council shall elect a City Clerk, who shall hold office until his successor is elected and has qualified.

Journal: Votes.

Sec. 114. The council shall keep a journal of its proceedings, and the yeas and nays when taken on any question shall be entered therein. Any member present who fails to vote shall be counted in the negative. The presiding officer at each regular session shall sign, during the session, the City Clerk's record of the proceedings of the last meeting, after the same has been corrected and approved by the council.

Acting Mayor.

Sec. 115. During the absence of the Mayor from the city, or in case of his death, inability, or incapacity for any reason to discharge the duties of his office, the vice-president of the council shall exercise all the powers and discharge all the duties of the Mayor and he shall be styled, "Acting Mayor of St. Paul," and the second vice-president of the council shall perform the duties and exercise the powers of Acting Mayor in case of the inability of the vice-president to act as Acting Mayor.

Legislation, Mode of: (a) Ordinances.

Sec. 116. Every act or bill of the council which shall define, license, regulate, suppress, prevent or prohibit any act, business or person, or be in any way an exercise of the legislative powers, grant any right, franchise or privilege or a modification thereof, or appropriate any money or create any liability against the city shall be expressed in, done by and created by an ordinance. And, likewise any amendment, modification or repeal of an existing ordinance of a similar character.

(b) Administrative Ordinances.

Every act or bill which shall define, regulate or create any office, or prescribe the powers and duties of any officer or department, or the procedure for the performance of any administrative act, or promulgate any rule or regulation for the better government and conduct of the city government shall be created by, expressed and done under an administrative ordinance.

(c) Resolutions.

Every other act, deed, expression, order or direction, not hereinbefore defined or limited, or the approval of any administrative act or the appointment of any officer shall be performed by means of and done under a resolution of the council and not otherwise.

Ordinances: Form and Procedure.

Sec. 117. Whenever any proposed ordinance shall be presented to the council, it shall be read in full at the meeting at which it shall be presented and read again by the title thereof at two separate meetings not less than a week after the meeting at which the same is presented. After such ordinance shall be complete in the form in which it is finally passed, it shall remain on file in the office of the City Clerk for public inspection at least one week before the final passage or adoption thereof.

No ordinance, except that creating the annual budget, shall embrace more than one subject, which shall be expressed in its title.

Ordinances making appropriations shall be confined entirely to appropriations, and nothing otherwise.

The enacting clause of all the above ordinances shall be: "The Council of the City of St. Paul does ordain:"

Administrative Ordinances.

Sec. 118. Shall be adopted by the same procedure as hereinabove prescribed for other ordinances. The enacting clause shall be the same as for other ordinances. Administrative ordinances shall be designated by the word "Administrative," preceding the title. No action of the council shall be

the disapproval thereof by the Mayor. In all other respects the provisions of the preceding section shall apply to appropriation ordinances.

Publication in Newspaper.

Sec. 123. Except as herein otherwise provided every ordinance, administrative ordinance and resolution shall, before it becomes operative, be published in full in the official newspaper, and each shall be recorded by the city clerk in separate books for each class. These shall be admitted as evidence in any court without further proof.

Resolutions may be published with the dates of their approval without appending thereto the signature.

The council may, by an administrative ordinance, provide for the publication in the official newspaper of the title and abstracts of the contents of all ordinances, (except appropriation ordinances), administrative ordinances and resolution instead of and in place of such publication in full as hereinbefore provided. In the event of the publication of such abstracts, it is hereby made the duty of the corporation counsel to prepare the same for the City Clerk.

Proof of the publication of any ordinance, administrative ordinance or resolution shall be made by an affidavit of the publisher, printer, his foreman or his clerk, of such newspaper with a printed copy of such publication there-to annexed, or other competent proof of publication, and the same shall be prima facie evidence in any court of the legal passage, enactment, approval, publication and promulgation thereof.

Publication in Volume.

Sec. 124. As soon as practicable after the first day of January of each year the City Clerk shall cause to be published in full and in a separate book with index thereto every ordinance adopted during the preceding year; and likewise in a separate book every administrative ordinance, but such separate books may be bound in one volume or under the same covers, and shall constitute part of and be known respectively as the "Legislative Code" and the "Administrative Code."

Revisions.

Sec. 125. The council, at any time, may make a complete and thorough revision of all the ordinances of the city, except franchise ordinances, and omit from such revision all appropriation and all other ordinances not then in effect and adopt such revision as a single ordinance and publish the same as a separate book to be known as the "Legislative Code." And likewise revise, adopt, and publish all administrative ordinances under the title of "Administrative Code." Such books may be published and issued in separate volumes or in one volume.

General Powers of the Council.

Sec. 126. The council shall have the full management and full control of the property and finances of the city subject to the provisions of this charter; to appropriate money for city purposes only except as herein otherwise provided, and shall have full power and authority to make, enact, ordain, establish, enforce, alter, modify, amend and repeal any and all such ordinances, rules and by-laws for the good government of the city, the protection of its property; the preservation of peace and good order; the suppression of vice and intemperance; the prevention of crime; the benefit of trade and commerce; the preservation of health; the prevention and extinguishment of fires; and to promote the general welfare, education, comfort, and well-being of the city and its inhabitants. The enactment of any ordinance, rule or by-law hereunder shall be held and construed to be a reasonable and lawful exercise of the powers herein granted.

Specific Powers of Council.

Sec. 127. For a more specific enumeration and definition of some of the powers granted hereinbefore, a fuller exposition thereof and as an additional grant thereto, the council shall have the power and authority:

A. The Common Council Shall Have Power:

1. To exercise eminent domain.
2. To purchase property by purchase or otherwise.
3. To acquire property by this charter.

...the use of the...
...of this section...
...persons authorized...
...may be...
...to enter the Com...
...for services...
...in violation of the provisions...
...his chapter or of the rules estab...
...thereunder.

Investigations.
106. In any investigation con...
...by the Commissioner he shall...
...the power to compel the attend...
...of witnesses and the production...
...of books and papers pertinent to the...
...investigation and shall likewise have...
...or to administer oaths to such wit...
...nesses.

Political Beliefs.
Sec. 107. No person in the Classified...
...ice, or seeking admission thereto...
...be appointed, reduced or removed...
...in any way favored or discriminated...
...because of his political opin...
...or affiliations.

Political Activity.
108. No officer or employe of...
...city shall, directly or indirectly...
...or receive or be in any manner...
...employed in soliciting or receiving...
...assessment, subscription or con...
...tribution for any political party or...
...purpose whatsoever. No pers...
...shall, orally or by letter, solicit...
...in any manner concerned in so...
...giving any assessment, subscription or...
...contribution from any person holding...
...position in the Classified Service for...
...political party or purpose what...
...soever.

Violations.
109. Any person violating any...
...of the foregoing provisions or the...
...established thereunder shall be...
...of a misdemeanor.

Officers to Be Voters.
109A. All elective officers of the...
...City of St. Paul shall be qualified voters...
...of the city at the time of their elec...
...and qualification for office. All...
...appointive officers shall be quali...
...fied voters of the City of St. Paul at...
...the time of their election, appointment...
...or qualification, except that by unan...
...mous action of the council to fill a...
...position requiring especial skill this...
...requirement may be waived by the...
...council. All employes of the City of...
...St. Paul shall be bona fide residents...
...of the city at the time of their em...
...ployment.

CHAPTER VIII.
THE COUNCIL: ITS GENERAL
POWERS AND DUTIES.
Council.

110. The legislative authority of...
...the City of St. Paul shall be vested in...
...the council, which shall be composed...
...of six councilmen and the Mayor...
...ex-officio shall be the presiding...
...officer or president thereof.

Meetings: Regular and Special.

111. The council shall meet at...
...the hall of said city on the first...
...day of June of each year at ten...
...o'clock in the morning, and...
...thereafter on such other times as it may...
...call, except Sundays and legal...
...holidays. The Mayor may call special...
...meetings of the council and the City...
...Clerk shall do so upon the written re...
...quest of four councilmen at such time...
...therein be specified. Notice in...
...writing of special meetings shall be...
...given upon each member of the coun...
...cil personally or be left at his usual...
...abode at least six hours in...
...advance of such meeting, except with...
...the unanimous consent or waiver of...
...the council, which consent or waiver...
...shall be in writing.

Quorum: Rules.

112. A majority of the council...
...shall constitute a quorum to transact...
...business, but a smaller number may...
...be authorized from time to time and compel...
...attendance of absent members...
...by such terms and penalties as it...
...may determine. It may adopt rules and...
...regulations for its government not in...
...contradiction with law and this charter...
...and its own adjournment and...
...the members for disorderly con...
...duct.

Ordinance and Administrative Ordinances.

Resolutions.
Sec. 119. Any resolution may be pre...
...sented and adopted at the meeting at...
...which it is presented.

Votes Necessary.

Sec. 120. No ordinance, adminis...
...trative ordinance or resolution shall be...
...finally adopted or passed, or operative...
...and binding unless the same shall be...
...passed and adopted by an affirmative...
...vote of a majority of all of the mem...
...bers elect of the council including the...
...Mayor. All such votes shall be taken...
...by ayes and nays and shall be entered...
...upon the record of the proceedings of...
...the council.

Mayor's Veto.

Sec. 121. Every ordinance or resolu...
...tion not making an appropriation...
...which shall pass the city council shall...
...be presented to the Mayor, as soon as...
...practicable for approval or rejection...
...and in any event not later than five...
...days after its passage. If he approves...
...thereof, he shall sign it within five...
...days of its presentation to him, and...
...shall deposit the same in the office of...
...the City Clerk where it shall be per...
...manently preserved as a public record...
...If he does not approve it, he shall re...
...turn it within five days to the city...
...council with a communication in writ...
...ing setting forth the fact of his dis...
...approval and the reasons therefor, and...
...his communication shall be entered at...
...large in the journal of the city council...
...Said body shall then proceed to recon...
...sider said measure. If after such re...
...consideration, a majority of all the...
...members elected to the city council vote...
...affirmatively, in favor of passing said...
...measure, notwithstanding the veto of...
...the Mayor, it shall become operative...
...notwithstanding said veto; but in all...
...such cases the vote of said council shall...
...be taken by yeas and nays, and the...
...names of all persons voting for or...
...against said measure shall be recorded...
...in the journal of the council. Should...
...the Mayor fail or refuse to return to...
...the council within five days any mea...
...sure presented to him for approval or...
...veto, it shall become operative at the...
...end of said five days just as though...
...approved and signed by the Mayor. Any...
...order, resolution or ordinance of the...
...council, requiring more than a majority...
...of votes of said council to pass in the...
...first instance shall require as great an...
...affirmative vote to pass over the veto of...
...the Mayor.

Mayor's Approval of Appropriation Ordinances—Veto.

Sec. 122. Every ordinance, making...
...an appropriation or authorizing any...
...liability, shall before it be binding and...
...operative be presented to the Mayor...
...for his approval or rejection. He may...
...approve or reject the whole thereof, in...
...which event the procedure shall be the...
...same as in the preceding section. Or...
...he may approve part thereof and dis...
...approve or reject any item or items...
...thereof, and in such cases he shall note...
...on the margin thereof and opposite such...
...item or items the word "Rejected" and...
...shall also in writing state what item...
...or items, by reference thereto, he has...
...disapproved or rejected together with...
...the reason therefor. The City Clerk...
...shall forthwith strike out of such...
...ordinance any such rejected item and...
...proceed in all other respects as if...
...such rejected item or items were not...
...therein contained. At the next regular...
...meeting of the council he shall present...
...to such body for its reconsideration a...
...verbatim copy of all such rejected...
...items together with the title of such...
...ordinances and other necessary refer...
...ences thereto to clearly identify the...
...same, and the statement of the Mayor...
...disapproving and rejecting such items...
...If after reconsideration, the council...
...shall again pass such rejected and dis...
...approved item or items or any one of...
...them, by an affirmative vote, of two...
...thirds of the five members elect except...
...the Mayor, then the City Clerk shall...
...forthwith publish such item or items...
...repassed or readopted together with...
...the title of such ordinance from which...
...the same were taken preceded by a...
...supplemental statement to the effect...
...that such items were repassed or re...
...adopted by the council notwithstanding

Employment of Public Purposes.

The Council Shall Have Power By Ordinance:

- 1 To define, license, regulate and restrain:
 - a Theatres, halls, exhibitions and shows and entertainments of all kinds.
 - b Dances and dance halls.
 - c Billiard and pool rooms, bowling alleys and other similar places and the proprietors and keepers thereof.
 - d Hotels, boarding houses and restaurants.
 - e Auctioneers and public auctions.
 - f Pawn brokers.
 - g Intelligence and employment offices and agents.
 - h Second hand stores and junk shops and the owners and managers thereof.
 - i Hawkers, peddlers, porters, runners, agents and solicitors for common carriers, express companies, hotels or other establishments.
 - j Ticket agents and brokers and immigration and steamship agents.
 - k Draymen, cartmen, cabmen, hackmen, omnibus drivers and chauffeurs.
 - l Vehicles of all kinds whatsoever, and the use of the streets, public thoroughfares, highways and places by such vehicles, and also the carrying and hauling of persons and property for hire. All monies realized from any license or licenses hereunder shall be appropriated and used solely for the purpose of repairing and keeping in good condition for travel such streets, thoroughfares, highways and public places in addition to such other monies as may be appropriated therefor.
 - m Vendors or dealers in inflammable oils or substances, firearms, fireworks or explosives of any kind.
 - n Vendors of meats, vegetables and other food products.
- 2 To regulate the size and weight of bread sold or prepared for sale, and the manner of weighing and selling hay.
- 3 LIQUOR LICENSES—To license and regulate except as herein otherwise provided, all persons, vending, dealing in or disposing of spirituous, vinous, malt or fermented liquors and all places in which the same are dealt in, vended or disposed of.
 - b To prevent or prohibit any person from giving or dealing in spirituous, fermented, malt or vinous liquors unless duly licensed by the common council.
 - c Patrol limits—To establish, alter, enlarge and contract patrol limits within said city and to prevent, suppress and prohibit the sale or other disposal of any spirituous, fermented, malt, vinous or other intoxicating liquor within such limits, except by duly licensed druggists for medical, mechanical or chemical purposes to be used elsewhere than upon said druggist's premises. Provided, however, that said council shall never grant any license to sell or otherwise dispose of any such spirituous, fermented, malt, vinous or other intoxicating liquor except to such druggists for the purpose aforesaid within the limits of the following territory, viz.: Sections twenty-eight (28) and twenty-nine (29), the east half (½) of the east half (½) of section thirty-two (32), and all of section thirty-three (33), in township twenty-nine (29), range twenty-three (23) and the east half (½) of the east half (½) of section five (5)

THE PRECEDING
DOCUMENT HAS
BEEN REFILMED
TO ENSURE
LEGIBILITY

presentation, after the same shall be withdrawn, added signature thereon be re-... no acceptance has been... in the hands of the... time for filing has ex-... be marked by him, "re-..."

Revocation of Petition. The City Clerk shall pre-... of two years, all... presentation and all per-... thereto and after... election, he shall record in... therefor, all acceptances... cted to office

Proclamation. Not later than twenty... of such election the City... enter the name of the... a list, certify the same... on council and the said... forthwith cause said cer-... the offices to be filed... whether for a full or un-... to be published together... mation calling such elec-... twice in the official paper

Form of Ballot. The City Clerk shall cause... all elections to be pre-... as by law and this... ided, but no such ballot... allot whether for use in... eral or special municipal... l contain any party desig-... rks.

Election Candidates. The two candidates for... the two candidates for... receiving the highest and... ghest number of votes in... y election for the respec-... for which they are candi-... the twelve candidates for... receiving the highest twelve... f votes for nominations... ll be declared the nominees... ly nominees for their res-... es at the next ensuing city... d their names and only their... be printed as such candi-... the official ballots at said

Section Informalities. No informalities in conduct... municipal election shall in-... same, provided it has been... fairly and in substantial... with law and the pro-... this charter.

Election Regulations. The City Clerk, at least... days before the holding of... pal election, shall give pub-... of the time and place of the... such election and the hours... h the polls will be open by... three public places in every... strict a notice, each notice... a list of the offices to be... such election. One of such... ll be posted at the place of... election. No failure of the... to give or post such notice... date an election.

Special Elections. The council may, by resolu-... ed by an affirmative vote of... mbers thereof, order a spe-... and provide for the hold-... e. The purpose of such spe-... shall be clearly stated in... tion, and no other matter... mitted thereto except as in... er otherwise provided.

Ballot Vote. The vote. In all municipal elections... of votes shall consist of... When in any election two or... ons shall receive an equal... votes for the same office... shall be determined by the... e. In the presence of the... h the time and in such man-... shall be.

Next Election. Should there be a failure to... officer elected by the people... designated, the council shall... eal election to be held in... with the provisions of this... "

the same, "stricken by the City Clerk." and no names shall be counted which have not been verified as hereinbefore provided.

Presentation and Filing Petition. Sec. 32. Whenever any recall petition shall be presented to the City Clerk for filing, he shall note on each page thereof the date of presentation, and shall consecutively number each page and shall thereafter forthwith examine the same as to its sufficiency, and if so found he shall forthwith file it in his office, notify the officer sought to be recalled of such fact, and present the same to the council at its next regular or special meeting.

Amending Petition. Sec. 33. Whenever any recall petition shall be found insufficient or defective by the City Clerk, he shall return the same to the person or persons therein named to receive the same together with a statement in writing of such defects, and the said petition may be amended and presented as often as necessary until the same be found sufficient and be filed.

Officer's Resignation. Sec. 34. Any officer recalled may resign from such office within five days after the recall petition shall have been filed by the City Clerk, and if he shall not so resign within the time afore- said he shall be deemed a candidate at the recall election hereinafter provided, and his name shall be placed on the ballot without any further act on his part.

Recall Elections. Sec. 35. Within ten days after the City clerk shall have presented the recall petition by him duly filed to the council, the said body shall order a special election to be held within sixty days to determine whether such officer sought to be recalled shall be removed and his successor elected at the same time, provided, however, that in case of a general election shall occur within ninety days and not less than twenty days after the presentation of such petition to it, the council shall postpone such recall election to such time, and provide that the question of such removal be determined at such special election.

Election Call. Sec. 36. In the published call for such election, there shall be printed in full to exceed two hundred (200) words the grounds for such recall, and in not to exceed the same number of words, the officer sought to be recalled may reply his course in office.

Other Candidates. Sec. 37. Other candidates for such office may be nominated for such office in the same manner as is by this charter provided for presentations for the primary election, except, however, that there shall be not less than one hundred individual certificates to a petition of nomination and that the same shall be presented to the City Clerk not later than twenty-one (21) days prior to such election, and shall be filed by the clerk not later than twenty (20) days prior to such election.

Incumbent Removed. Sec. 38. The officer sought to be recalled, shall continue in office until the canvass of the returns of such recall election by the council, and if he fail to receive such election to receive the highest number of votes, he shall be deemed removed from office and the candidate receiving the highest number of votes shall be deemed his successor in office for the unexpired term thereof. Such successful candidate, except the recalled officer, shall file within ten days thereafter or the said office shall be deemed vacant. The recalled officer shall yield said office on demand to his successor.

Registration. Sec. 39. All polling places shall be open from six (6) o'clock in the morning until nine (9) o'clock in the evening on the day of the recall election. The list of names at such other elec- tions in connection with any of the polls shall be those prepared by the city of the preceding election in the city of St. Paul provided that on the day of the recall election otherwise qualified there- recall not already registered them- selves, shall be as to the names of the

Mayor, \$5,000 per annum; Comptroller, \$5,000 per annum; Commissioner of Finance, \$4,500 per annum; Commissioner of Public Works, \$4,500 per annum; Commissioner of Public Safety, \$4,500 per annum; Commissioner of Education, \$4,500 per annum; Commissioner of Parks, Playgrounds and Public Buildings, \$4,500 per annum; Commissioner of Public Utilities, \$4,500, provided that the salaries named in this section shall be full remuneration for all services of said officers to the City of St. Paul of whatever kind and character, and provided further that all of said officers shall devote their entire time and energies to the service of said city. The Corporation Counsel shall receive an annual salary of \$5,000; the City Clerk, \$3,000; the Chief of Police, \$4,000; the Chief of the Fire Department, \$4,000; the Commissioner of Health, \$4,000; the Superintendent of Schools, \$5,000; salaries or remuneration of all other officers and employees, not fixed in this charter, shall be fixed by the Council, but no officer employed for a fixed term, or serving continuously for more than a year shall be paid a salary in excess of \$5,000 a year.

Compensation of Officers and Employees Not Fixed by Charter. Sec. 46. The compensation of all officers and employees not fixed by this charter or by state law shall be fixed by ordinance by the council, passed by a four-seventh affirmative vote of all members elected to the Council. The Council shall have no power to change the compensation of any officer for the term for which he was elected or appointed, nor within sixty days of a municipal election. Such compensation shall be first fixed by the Council, first elected under this charter and shall take effect at such time as the ordinance so fixing it shall provide.

No Extra Compensation. Sec. 47. No officer or employee shall receive from the City of St. Paul, or the County of Ramsey, any other or greater sum than the salary provided for in or pursuant to this charter in any manner for services performed; and such salaries shall be taken as including compensation for all services rendered by any of said officers or employees in any other office or employ- ment for said city or while acting in any other capacity, or upon any board or committee, and if by the provisions of any law or ordinance any such officer shall be or shall become entitled to receive any other compensation or fees such compensation or fees shall be turned into the city treasury and credited to the general fund.

Oath of Office. Sec. 48. Every person appointed to office under this charter except employees paid by the day or hour, shall before he enters upon the duties of his office take and subscribe an oath of office, in the form prescribed by the general statutes of this state, and file the same with the Comptroller.

Notice by City Clerk. Sec. 49. Every person elected or appointed to office shall as soon after his election or appointment as may be, be notified by the City Clerk of his election or appointment, and as to the requirements of this charter respecting oaths of office and official bonds pertaining to such office.

Failure to Qualify. Sec. 50. Any person elected or appointed to office under this charter, who shall refuse, fail or neglect to qualify for said office within ten days of this time provided for in this charter, or if no specific time provided, shall fail to qualify within ten days, of said notification, shall forfeit his office by said failure and said office shall be vacant from the time of said failure and shall be filled in the manner of filling vacancies due to other causes.

Official Bonds. Sec. 51. Each of the following named officers shall furnish and file as hereinafter provided, a bond to the City of St. Paul, for the following amounts: Commissioner of Finance, \$50,000; Comptroller, \$50,000; Purchasing Agent, \$50,000; City Clerk, \$5,000; Mayor's Secretary, \$5,000; Superintendent of the Auditorium, \$5,000.

council from time to time. Remuneration of persons in the employ of the City of St. Paul shall be uniform for like services in all departments. In all city employment, eight hours shall constitute a working day, and except in cases of emergency, of which the executive head of the department declaring the emergency shall be sole judge, no officer or employe of the city, except police officers and firemen, shall be required to work more than eight hours a day. No officer or employe of the city shall receive extra pay for extra labor or work done in an emergency, except by unanimous action of all persons elected to the city council approved by the Mayor and Comptroller. Whenever any department head shall declare an emergency, he shall report at the next succeeding meeting of the council, giving in detail the circumstances creating the emergency, and his report shall become a public record. By two-thirds vote the council may direct that the work of the department proceed on a normal basis.

CHAPTER V.

Mayor: Qualifications, Duties. Sec. 54. The Mayor of the City of St. Paul shall be a qualified elector of said city. He shall take care that the ordinances of said city and the laws of the State of Minnesota are duly observed and enforced and that all other executive and administrative officers of the city discharge their respective duties. He shall, from time to time, give to the council such information and shall recommend such measures as he may deem advantageous to the city.

To Preside at Council Meetings. Sec. 55. The Mayor shall preside at the meetings of the council and shall vote on all business before that body, just as shall councilmen, provided that when the question before the council is sustaining the mayor's veto, or passing any ordinance or resolution notwithstanding the Mayor's veto, or upon the removal from office of any person or charges preferred by the Mayor, then the Mayor shall have no vote thereon.

Acting Mayor. Sec. 56. During the absence of the Mayor from the city and in case of his inability or failure to act as Mayor for any cause whatever, the Vice-President of the City Council shall be acting Mayor.

Mayor to Assign Department Heads. Sec. 57. Immediately upon taking the oath of office, it shall be the duty of the Mayor to assign one member of the newly elected council as Commissioner of Public Safety, one member of said council as Commissioner of Education, one member of said council as Commissioner of Public Works, one member of said council as Commissioner of Parks, Playgrounds and Public Buildings, one member of said council as Commissioner of Public Utilities and one member of said Council as Commissioner of Finance.

Mayor May Re-Assign. Sec. 58. On the first Monday in December next after taking the oath of office the Mayor may re-assign at his discretion any member of the council, removing him from the head of one administrative department and placing him at the head of any other, if, in the judgment of the Mayor the interests of said city may be served thereby. Each councilman shall, until the end of the term for which he has been elected, continue to occupy the position as commissioner which he occupies the first Tuesday of said December.

Mayor to File Charges: Removal. Sec. 59. When in his judgment any Councilman, as Councilman, or as the head of any administrative department, has not conducted the business of the city honestly, faithfully and with reasonable skill, it shall be the duty of the Mayor to file with the City Clerk charges against said officer, and on the filing of said charges with reasonable specifications as to the concrete instances of dishonesty, unfaithfulness or incompetency charged, it shall be the duty of the council to try publicly the truth or falsity of such charges, and if found guilty of such dishonesty, unfaithfulness or incompetency, the council shall have the power to remove the same from office.

Any officer removed from the office by the Mayor or the Council shall be deemed to have vacated his office, and the Council shall proceed to fill the vacancy as herein prescribed.

Removal from Office.
Sec. 28. Every person appointed to an office by the Mayor or the Council or elected to office by the people, shall be removed from such office by the Mayor by a five-sevenths affirmative vote of all the members elected. But no officer elected by the people shall be removed except for cause nor until a person shall have had a reasonable opportunity to be heard in his defense. The Council shall have the power to remove an officer, of which not less than ten days notice shall be given, and to compel the attendance of witnesses and the production of papers at such trial, and to hear testimony and oath to determine the case. If such officer neglect to appear and answer the charges the Council, by the vote of a majority, may declare the office vacant. In such cases, the Council shall act by written resolution only, and all resolutions shall contain a summary of the charges against said officer and the reasons for his removal.

Recall Elections.
Officers Recallable.
Sec. 28b. Any person holding an elective municipal office, except those created by special law, may be removed therefrom by recall, as hereinafter provided.

Per Cent for Recall.
Sec. 29. An election for the recall of any officer elected by the people shall be held whenever a petition, signed by a number not less than twenty-five (25) per cent of the total vote cast for the office of Mayor at the last preceding general municipal election, demanding the removal of the officer therein named shall be filed with the City Clerk.

Petition: Its Form.
Sec. 30. Every recall petition shall state the name of the officer sought to be recalled, the office which he holds, and briefly the grounds for his recall. It shall be addressed to the Council and may consist of one or several papers, but each paper shall repeat the words of the petition at the head thereof.

Signatures.
Sec. 31. Each signer to such petition shall have been a qualified voter at the last general election, municipal or otherwise, and shall write the name, in ink, his name, the street and number of his residence at the time of election, the ward and precinct in which he voted at such time, and the street and number of his present residence. Each separate page of the said petition shall have appended thereto a certificate verified by oath, that each signature was signed by the person so purporting to have signed the same in the presence of the person making such certificate.

Any name appearing on the petition, not complying with the foregoing requirements shall be stricken therefrom by the City Clerk by marking opposite

General Laws Apply.
Sec. 30. Insofar as practicable all laws and provisions shall apply to the recall election and the preliminary steps thereto, and where inapplicable or impracticable the Council shall by ordinance provide such other and better regulation consistent herewith as may be necessary to carry out the provisions of this chapter.

Recall Limitations.
Sec. 31. No recall petition shall be filed against any officer until he has been in office for six months, and none within six months of the end of his term.

Penalty for Removal.
Sec. 32. No person who has been removed from office by recall, or has resigned from office after the filing of a recall petition, shall be appointed to any office under this charter within one year after such removal or resignation.

CHAPTER IV.
Boards Abolished. Charter in Effect.

Salaries. Bonds. Terms of Office. Death of Officer. Notice. Failure to Qualify. Incapacitated Police and Firemen. Hours of Labor.
Sec. 42. The Board of School Inspectors, the Board of Police, the Public Workhouse Board, the Board of Park Commissioners, the Board of Library Directors, the Board of Public Works, the Board of Public Health, the Conference Committee and the Audit Board are hereby abolished to take effect on the date when the City Officers elected under this charter to their respective functions and have qualified, and the boards and the members thereof shall turn over to said City Officers forthwith on demand, all books, records, property and all other articles and things in their possession or under their direction, custody or control, belonging to the City of St. Paul, or any of its departments or officers. Failure to comply with this section by any person shall constitute a misdemeanor punishable by fine or imprisonment, on conviction in the municipal court or other court of record in Ramsey County.

Terms of Office Shall Terminate.
Sec. 43. In so far as may be practicable this amendment shall go into effect January 1, 1914, and all city elections taking place subsequent to that date shall be held under this charter. For all purposes it shall take effect upon the first Monday in June, A. D. 1914, and all officers elected under this charter shall take office on that day.

Salaries.
Sec. 44. All contracts and obligations of whatsoever kind or nature entered into by the City of St. Paul, or by any person or persons whatsoever in its behalf, and valid and binding upon said city under the charter in effect at that time, shall be equally valid and binding under this charter as amended. All provisions of the charter which this amendment applies hereto shall supplement the amended charter until officers are elected, have qualified and been assigned their duties under this amendment, shall have full force and effect until superseded in practice by the city government provided for in this amendment.

Salaries.
Sec. 45. The salaries of elective officers of the City of St. Paul shall be paid in equal monthly installments of a "City Officers' Salary Fund," which is hereby established, and shall be as follows:

Mayor, \$3,000; Clerk of the Municipal Court, \$2,000; First Assistant Clerk of the Municipal Court, \$1,000; Justices of the Peace, \$1,000 each; Constables, \$1,000 each.

Such bonds shall be drawn or approved as to form by the Corporation Counsel, so as to bind said officers for the faithful performance of their respective duties. The Council shall have power to add any conditions it may see fit or to increase any of said bonds where thought necessary, not exceeding fifty per cent, or to require reasonable bonds of other officers or employees. Said bonds shall be approved by the Council and filed with the Comptroller, except that the Comptroller's bond shall be filed with the Commissioner of Finance.

Any person who refuses or neglects to furnish a bond as herein provided shall thereby forfeit his office. The bond of every officer shall be deemed to cover the acts of his deputies and subordinates unless the Council shall provide that said deputies or subordinates be bonded directly to the City of St. Paul. The Council may provide that on all surety bonds of officers or employees running to the City of St. Paul, Officers may require bonds from own protection reasonable bonds from deputies or subordinates.

All official bonds to the City of St. Paul not written by surety companies qualified under the laws of the state to do business in Minnesota each of whom must qualify under oath that he is the owner of unencumbered real estate of value at least equal to the amount of said bond. All official bonds shall be executed by the principal therein.

Incapacitated Firemen or Police Officers.
Sec. 52. All firemen or police officers injured in actual service and thereby rendered incapable of performing his duty, shall receive full pay during the period of incapacity not exceeding six months, and if incapacitated for a further period, one-half pay not exceeding an additional period of six months. Such injured fireman or police officer shall be entitled to reinstatement at any time within eighteen months from the date of injury or incapacity, if physically capable of resuming his duties. In case of disability through injury or sickness other than as hereinbefore mentioned, in case of firemen, such firemen shall, notwithstanding such sickness or injury, receive his salary, less the amount paid a substitute, for a period not exceeding twelve months, and he shall likewise be re-instated within any time within eighteen months from the date of such sickness or injury, provided he is physically capable of resuming his duties. Any temporary advancement caused by sickness or injury shall not work an increase in salary of the person so advanced, during the time of disability of the person on account of whose disability such advancement was made. Before any payment shall be made as aforesaid, said disability shall be certified to by the City Physician and the Police Surgeon and the person injured or disabled shall execute a release discharging the City of St. Paul from all claim for damages on account of said injury or disability.

Terms of Office: Hours of Labor.
Sec. 53. The terms of office of all officers elected under this charter shall be two years and until their successors are elected and shall have qualified, to date from the first Monday in June, A. D. 1914, and from the first Monday in June of each even-numbered year thereafter, provided that all said officers shall hold office subject to removal in the manner provided for in this charter.

All persons in the service of St. Paul, paid salaries in monthly installments, and whose terms of office have not been specifically fixed, shall hold their places from month to month after appointment until removed under the terms of this charter. Their title and general duties shall be fixed by the

Mayor, and shall either be admitted to vote on the question of removal, provided that an affirmative vote of two-thirds of all the members elected to the Council shall be required to remove any elective officer from office. All charges and proceedings in connection with such removal shall be entered in the journal of the Council and become a permanent public record.

Removing Non-Elective Officers and Employees.
Sec. 60. When, in the judgment of the Mayor, any officer or employee appointed under the provisions of this charter is not performing his duties honestly, faithfully and efficiently, the Mayor shall so notify the officer or the body having the power of appointing said officer or employee, stating the facts as specifically as may be, and shall ask said appointing officer or body to remove said officer or employee. If said officer so requested, refuses or neglects to act, then the Mayor may in his discretion remove said offending appointive officer or employee by an order in writing addressed to the appointing officer or body, and containing specific reasons for the removal. Said officer or employee so removed may, if he wishes it, have power to reply to the Mayor's charges and may before so replying, demand a bill of particulars, which the Mayor shall furnish as far as practicable, and such charges, such as letters of removal, such statement of particulars and such reply shall be filed with the City Clerk as a permanent public record of the city. Provided, however, that the Mayor shall not have power to remove any officer or employee appointed by the Comptroller.

To Examine Securities.
Sec. 61. It shall be the duty of the Mayor and Comptroller at least once in each three months, to examine all the securities in the city treasury, belonging to the city, including those securities held for the sinking fund, and upon finding all such securities properly on hand, to make out and file in the office of the Comptroller their joint certificates to that effect, which certificates shall specify such securities in detail.

Committee on Sinking Fund.
Sec. 62. The Mayor, Comptroller and Commissioner of Finance shall be a Committee on Sinking Fund, having control thereof in the manner in this charter provided.

Mayor a Member of the Board of Equalization.
Sec. 63. The Mayor shall be a member of the Board of Equalization.

Mayor to Sign Instruments.
Sec. 64. The Mayor's signature shall be required on all deeds, leases and other instruments executed by the City of St. Paul, for the conveyance of real estate or any interest therein.

Papers Served on Mayor.
Sec. 65. Whenever any suit, action or proceeding shall be brought against the City of St. Paul, the summons or process shall be served on the Mayor, and it shall be the duty of the Mayor forthwith to give written notice thereof to the Corporation Attorney, attaching thereto the summons or process so served.

The Mayor's Salary.
Sec. 66. The Mayor of the City of St. Paul shall for his services as Mayor, draw from the city treasury the sum of \$5,000 each year of his term, payable in equal monthly installments. He shall have power to employ a secretary who shall be paid by said city, \$2,000 a year, payable in equal monthly installments, and shall employ such other clerical assistants as the Council shall by ordinance designate, and shall provide that the salaries of all persons regularly employed by said Mayor shall not exceed \$5,000 in any one calendar year, including the salary of this secretary.

Other Duties of the Mayor.
Sec. 67. The Mayor shall exercise such other powers and perform such other duties as may be prescribed by state law, by this charter, or by any

ordinance not in conflict with the provisions of this charter.

CHAPTER VI.

CITY COMPTROLLER.

Shall Keep Controlling Accounts.

Sec. 68. The Comptroller shall be head of the accounting department of the City of St. Paul. He shall keep controlling accounts with every department and bureau of the city government, and with all activities whatever owned or controlled by the City of St. Paul or in which the City of St. Paul has any pecuniary interests.

To Prepare Forms.

Sec. 69. From time to time the Comptroller shall prepare forms of accounts, vouchers, reports, bills, orders, receipts, checks, and other necessary forms to be used by the several city departments, bureaus or activities with which the Comptroller keeps accounts, in the transaction of all such parts of the public business as concern the public finances. He shall incorporate said forms into an ordinance which shall be considered and passed by the council. The Comptroller shall, from time to time, issue the forms herein named to the city departments, bureaus and activities herein named to be used in the parts of the public business which concern the public finances. The willful failure or refusal by any city officer or employe to use any such form in the transaction of the business for which the same was designated to be used, shall be deemed willful misconduct in office of such officer and sufficient ground for his removal from office. Said Comptroller shall issue all financial forms which shall be numbered consecutively for each department for each year so as to be capable of identification, and all city officers to whom they are issued must account for each form delivered to him, at such times as the Comptroller may direct. All city licenses shall be considered financial forms within the meaning of this section.

Fiscal Year.

Sec. 70. The fiscal year in all departments of the city shall begin January 1.

System of Accounts.

Sec. 71. The Comptroller shall keep regular books of account in which shall be entered all indebtedness of the city, and which at all times show the precise financial condition of the city; the amount of bonds, orders or other evidences of indebtedness lawfully issued; the amount of the same which has been paid and the amount of each thereof remaining outstanding. He shall countersign all bonds and other evidences of the city's indebtedness and keep an extract account and record of each instrument, stating to whom and for what purpose the same has been issued. He shall keep accounts with all the receiving and disbursing officers of the city, and all departments, bureaus and activities mentioned in the second section of this chapter. These accounts shall show the amount received by them from each of the various sources of revenue and the amount which they have disbursed under resolution or ordinance of the council or other legal mandate. The Comptroller shall at all times have access to all reports, books, vouchers and accounts in each and all of the departments, bureaus or activities herein above mentioned, and it shall be his duty frequently to inspect the same in order to insure the keeping of the same properly and efficiently, and in the mode contemplated by the law by this charter. The Comptroller shall prescribe and issue with the approval by ordinance of the council such a system of controlling accounts, documents and reports for his own office, and each department bureau, or activity of the city government as shall most effectively keep a correct record of the business of the city. It shall be the duty of the Comptroller to see that the accounts of his own and other officers of the city and its departments, bureaus and activities are so kept that they will conform to the best system of accounting adopted in other cities of the country and readily admit of the comparison of St. Paul's city government and finances with those of other cities.

the date of the passage thereof, under authority of which such order is drawn.

Payment by Checks: Receipts.

Sec. 78. All payments from the city treasury shall be by check upon city depositories, under such system of warrants and vouchers as the council may on the recommendation of the Comptroller adopt. For all moneys paid into the city treasury, the city treasury shall issue duplicate receipts under such a system that these receipts must be countersigned in the Comptroller's office before they are valid, and one must be retained there as a permanent record. The duplicate receipt shall be handed over by the Comptroller to the person who makes the payments.

Comptroller to Check Treasury Each Day.

Sec. 79. On each business day after the close of receipts and payments in the city treasury, the Comptroller shall check all the receipts and disbursements of such day; and the treasury shall deliver to the Comptroller all evidences of the payment of moneys that have come to its possession during the day; the same after adequate cancellation of all instruments in the form of commercial paper, to be retained as part of the records of the Comptroller's office until destruction of the same shall have been authorized by the council, provided that the stubs of receipts issued for moneys paid into the treasury may be retained by the treasury where duplicate receipts have been placed in the hands of the Comptroller.

Treasurer to Report.

Sec. 80. At the close of each day's business the treasurer shall make to the Comptroller a statement showing with respect to each city fund the amount of the annual appropriation for such fund, the amount of money on hand to its credit at the beginning of business on that day, the amount of receipts to its credit on that day, the amount of payments made for it on that day.

To Act in Harmony.

Sec. 81. The business hours of the Comptroller's office and the city treasury shall be so fixed and the offices shall be so arranged as to permit the convenient transaction of the business therein, in the mode prescribed in accordance with the provisions of this charter. In the event of the Comptroller and treasury failing to agree upon such arrangements, the Mayor shall make an order arranging proper conditions.

Custodian of Documents.

Sec. 82. The Comptroller shall be custodian of all official and other surety bonds relating to the city's business, of all deeds, insurance policies and other contracts and agreements except as may otherwise be provided in this charter.

To Take Up Evidence of Indebtedness.

Sec. 83. Upon payment to the treasury of any note, order, bond or coupon, it shall require the surrender thereof and shall take the same into its possession as evidence of such payment. The Comptroller may require the taking by the treasury of such other evidences of payment, in any case, as he may deem necessary for the due protection of the city and the safe or convenient transaction of its financial business.

To Complete Record.

Sec. 84. The Comptroller shall at all times keep a full and complete record of all deeds, bonds, insurance policies, contracts, agreements, and other instruments of a similar nature in his custody belonging to the city, or any department, bureau or activity thereof, showing the disposition, if any thereof; and also a complete record of all securities whatever coming into the hands of the Commissioner of Finance, showing the disposition, if any, thereof.

Shall Be Member of the Sinking Fund Committee.

Sec. 85. The Comptroller shall be a member of the sinking fund committee. With the Mayor he shall from time to time examine the securities in the hands of the city, and see that they are properly and safely invested.

Responsible for Legality of Contracts.

Sec. 86. The Comptroller shall be responsible for the legality of all contracts entered into by the city.

partment in which employed are specified on said roll, except as in this charter otherwise provided. All claims for services by the day or hour must be supported by an adequate time report showing services rendered. Claims for supplies for emergency repairs must be certified to by the purchasing agent setting forth facts constituting the emergency. No requisition shall be certified or honored by any city officer or employe unless it shows on its face that the Comptroller has certified that there are available funds to pay for the thing requisitioned. No claim for general supplies in bulk in anticipation of requisitions therefor shall be allowed unless such supplies have been duly delivered to the city and duly inspected. Whenever supplies are bought in bulk, no claim for supplies shall be allowed unless supported by a requisition approved by the Comptroller; and unless prices thereof are certified by the purchasing agent as correct, and unless properly inspected. Where purchases are made under contract, claims for payment thereof shall not be allowed unless the contract has in all respects been complied with. All contract work must be properly inspected and reported upon as done in accordance with the terms of the contract, and all materials as complying with specifications; must be approved by the department for which it has been performed; must have been covered by the bond required under this charter; and the contractor must make affidavit that all claims for services and material used in connection therewith have been paid in full to date, before any claim shall be allowed or paid by the city. No final claim or estimate on any contract work shall be paid until the contract is fully completed and properly accepted by the proper city officers as provided for in this charter. No claim for extra labor or material shall be allowed unless the cost thereof has been fully agreed upon by the department for which the labor or material is furnished and the contractor, and a memorandum of said agreement has been filed with the Comptroller and countersigned by him prior to the furnishing of such extra labor or material.

All disbursements expressly required by the laws of the state, or to maintain the credit of the city shall be allowed subject to the ruling of the corporation counsel as to their legality. All disbursements authorized by the council from moneys under the direct control of the council, may be allowed by the Comptroller on receipt of such authorization and subject to the terms thereof.

Board of Control and City Hall and Court House Committee.

Sec. 96. The limitations in the last preceding sections shall not apply to claims against the Board of Control and the City Hall and Court House Committee. On recommendation of the Comptroller the council may provide by ordinance for such arrangements as said Comptroller may be able to make, and which he and said council may deem desirable, with the County of Ramsey for monthly or semi-monthly settlements of all claims against the city for the city's share of the expenses of the Board of Control and the City Hall and Court House Committee, provided that before payment all such claims shall be audited by the Comptroller and shall be supported by the evidence of a payment on the part of the county.

City Council May Audit.

Sec. 97. For the recommendation of the Board of Control and the City Hall and Court House Committee, the Comptroller shall be responsible for the legality of all contracts entered into by the city.

Commissioner in Cases of Emergency.

Sec. 103. All examinations shall be impartial and shall have reference to the duties and requirements of the office or position to be filled. When oral tests are employed, a complete record of questions and answers shall be made. Examinations shall be in charge of the chief examiner, except when the Commissioner shall act as examiner. The Commissioner may call on other persons to conduct or mark examinations and when such persons are connected with the city service it shall be deemed a part of their official duty to act as such examiners without extra compensation.

Present Incumbents.

Sec. 104. All persons holding positions in the Classified Service of the city as established by this charter, at the time it takes effect, shall retain their positions until discharged, reduced, promoted or transferred in accordance therewith. The Commissioner shall keep as a public record a civil list of all persons in the service of the city which shall show the name of every officer or employe, the office or service, position held, the date and character of every appointment and of every subsequent promotion, and reduction, and every change in salary or otherwise. Each appointing officer shall promptly transmit to the Commissioner all information required for the establishment of said civil list.

Prohibitions.

Sec. 105. No treasurer or other public disbursing officer of the city shall pay any salary or compensation for services to any person holding a position in the Classified Service unless the payroll or account for such salary or compensation shall bear the certificate of the Commissioner that the persons employed and are performing service in accordance with the provisions of the rules or of

Commissioner in cases of emergency and pending appointment from an eligible list. But no such temporary employment shall continue longer than sixty days nor shall successive temporary employments of the same person be allowed.

I. For transfers from any position to a similar position in the same class and grade and also for reinstatement within one year of persons who without fault or delinquency on their part are separated from the service or reduced.

J. For promotion based on competitive examination and upon a record of efficiency, character, conduct and seniority. Lists shall be prepared and kept and promotions made therefrom in the same manner as provided herein for original appointments. Any advancement in rank or any increase in salary beyond the limit fixed by the rules shall constitute a promotion. Whenever practicable vacancies shall be filled by promotion.

K. For suspensions for not longer than thirty days and for leaves of absence.

L. For discharge or reduction either in rank or compensation after appointment or promotion only when the person to be discharged or reduced has been presented with the reasons for such discharge or reduction, specifically stated in writing and has been allowed a reasonable time to reply thereto in writing. The reasons and the reply must be filed as a public record with the Commissioner.

Exceptions to Rules.

Sec. 102. In cases of a vacancy in any office which requires peculiar or exceptional qualifications of a scientific, professional or expert character, and upon satisfactory evidence that competition is impracticable and that the office can best be filled by the selection of some designated person of recognized attainments, the Commissioner may, with the written consent of the Mayor, suspend competition, but no such suspension shall be general in its application to such office and all such cases of suspension shall be reported, together with the reasons therefor, in the annual reports of the Commissioner.

Examinations.

Sec. 103. All examinations shall be impartial and shall have reference to the duties and requirements of the office or position to be filled. When oral tests are employed, a complete record of questions and answers shall be made. Examinations shall be in charge of the chief examiner, except when the Commissioner shall act as examiner. The Commissioner may call on other persons to conduct or mark examinations and when such persons are connected with the city service it shall be deemed a part of their official duty to act as such examiners without extra compensation.

Present Incumbents.

Sec. 104. All persons holding positions in the Classified Service of the city as established by this charter, at the time it takes effect, shall retain their positions until discharged, reduced, promoted or transferred in accordance therewith. The Commissioner shall keep as a public record a civil list of all persons in the service of the city which shall show the name of every officer or employe, the office or service, position held, the date and character of every appointment and of every subsequent promotion, and reduction, and every change in salary or otherwise. Each appointing officer shall promptly transmit to the Commissioner all information required for the establishment of said civil list.

Prohibitions.

Sec. 105. No treasurer or other public disbursing officer of the city shall pay any salary or compensation for services to any person holding a position in the Classified Service unless the payroll or account for such salary or compensation shall bear the certificate of the Commissioner that the persons employed and are performing service in accordance with the provisions of the rules or of

Officers: (a) Vice-President.

Sec. 113. On the first June of each even number year thereafter as provided by ballot, shall be elected members a vice-president, each of whom shall hold office until their successors are elected.

(b) City Clerk.

At the same time and in the same manner as the council shall elect the Mayor, shall also elect a City Clerk, who shall hold office until his successor is elected and has qualified.

Journal: (a) Mayor.

Sec. 114. The council shall keep a journal of its proceedings and may when taken into session shall be entered therein the names of the members present who fails to be counted in the negative, the name of the officer at each regular session, during the session the Clerk's record of the proceedings, after the same has been corrected and approved.

Acting Mayor.

Sec. 115. During the absence of the Mayor from the city, or death, inability, or incapacity, the council shall elect an Acting Mayor, who shall exercise all the powers and duties of the Mayor, and the second vice-president of the council shall perform the duties of the Mayor in case of the inability of the Acting Mayor to act as Acting Mayor.

Legislation, Mode of.

Sec. 116. Every act of the council which shall regulate, suppress, prevent, or modify any act, business or industry, shall be subject to the powers, grant any right, privilege or a modification of any money liability against the city, shall be passed in the form of an ordinance. And, likewise, the modification of any existing ordinance of the council shall be subject to the powers of the council.

(b) Administratively.

Every act or bill which shall regulate or create a new office or department, or alter the powers and duties of any office, or promulgate any rule, regulation, or order, shall be created by, and under an administrative act.

(c) Resolutions.

Every other act, order or direction, which shall be administrative in character, shall be subject to the powers of the council and shall be created by, and under an administrative act.

Ordinances: Form.

Sec. 117. Whenever an ordinance shall be passed, it shall be read in public at a meeting of the council, and shall be read again by the Mayor at a separate meeting of the council, after the meeting shall be presented. After the ordinance shall be read in the office of the Mayor, and after the final passage or adoption thereof, the ordinance shall be published in the official gazette of the city. No ordinance, resolution or order shall be considered as having been passed until it has been published in the official gazette of the city.

Administratively.

Sec. 118. The same procedure shall be observed for other administrative acts, orders, resolutions or ordinances which shall be administrative in character. No action shall be taken by the council until the same has been read in public at a meeting of the council, and shall be read again by the Mayor at a separate meeting of the council, after the meeting shall be presented. After the ordinance shall be read in the office of the Mayor, and after the final passage or adoption thereof, the ordinance shall be published in the official gazette of the city. No ordinance, resolution or order shall be considered as having been passed until it has been published in the official gazette of the city.

ST. PAUL REVIEW.

under order is
pts.
the city
of war-
ncill may
Compt-
ya paid
ty trans-
pts under
Compt-
and one
perman-
ent shall
er to the
ents.
ary Each
day after
ments in
oller shall
disburse-
treasury
er all evi-
nces that
uring the
cancell-
the form
ained as
ntroller's
the same
by the
abs of re-
into the
the trans-
have been
ntroller.
ach day's
ake to the
wing with
e amount
for such
of business
receipts to
amount of
at day.
urs of the
city treat-
the office
permit the
business
used in ac-
of this
the Compt-
to agree
the Mayor
ging proper
nts.
shall be
other sur-
s business,
olicies and
ments ex-
provided in
ndebtedness.
y the treas-
or coupon,
nder there-
into its pay-
ment.
ise the tak-
other evi-
case, as he
the due pro-
safe or con-
financial
ord.
er shall at
complete re-
urances pol-
and other
ature in his
city, or any
vity there-
any there-
record of all
ing into the
of Finance,
any, thereof.
aking fund
r shall be a
d Committee,
time to the
of the

partment in which employed are specified on said roll, except as in this charter otherwise provided. All claims for services by the day or hour must be supported by an adequate time report showing services rendered. Claims for supplies for emergency repairs must be certified to by the purchasing agent setting forth facts constituting the emergency. No requisition shall be certified or honored by any city officer or employe unless it shows on its face that the Comptroller has certified that there are available funds to pay for the thing requisitioned. No claim for general supplies in bulk in anticipation of requisitions therefor shall be allowed unless such supplies have been duly delivered to the city and duly inspected. Whenever supplies are bought in bulk by the purchasing agent in anticipation of requisitions therefor, said purchasing agent shall make such report as the Comptroller may prescribe, giving all details as to prices, amounts, cost, evidences of delivery, and all other details necessary for the protection of the city. When satisfied as to all details the Comptroller shall draw a proper warrant covering such claims as have been satisfactorily proved, and shall apportion the payments to the several departments so that each shall pay for the supplies actually purchased for and to be used by that department. Each item shall be charged to the appropriate fund. Except for supplies so bought in bulk, no claim for supplies shall be allowed unless supported by a requisition approved by the Comptroller; and unless prices therefor are certified by the purchasing agent as correct; and unless properly inspected. Where purchases are made under contract, claims for payment thereof shall not be allowed unless the contract has in all respects been complied with. All contract work must be properly inspected and reported upon as done in accordance with the terms of the contract, and all materials as complying with specifications; must be approved by the department for which it has been performed; must have been covered by the bond required under this charter; and the contractor must make affidavit that all claims for services and material used in connection therewith have been paid in full to date, before any claim shall be allowed or paid by the city. No annual claim or estimate of any contract work shall be paid until the contract is fully completed and properly reported by the proper city officers as provided for in this charter. No claim for extra labor or material shall be allowed unless the cost thereof has been fully agreed upon by the department for which the labor or material is furnished and the contractor, and a memorandum of said agreement has been filed with the Comptroller and countersigned by him prior to the furnishing of such extra labor or material. All disbursements expressly required by the laws of the state, or to maintain the credit of the city shall be allowed subject to the ruling of the corporation council as to their legality. All disbursements authorized by the council from moneys under the direct control of the council, may be allowed by the Comptroller on receipt of such authorization and subject to the terms thereof.

Board of Control and City Hall and Court House Committee.

Sec. 95. The limitations in the last preceding sections shall not apply to claims against the Board of Control and the City Hall and Court House Committee. On recommendation of the Comptroller the council may provide by ordinance for such arrangements as said Comptroller may be able to make, and which he and said council may deem desirable, with the County of Ramsey for monthly or semi-monthly settlements of all claims against the city for the city's share of the expenses of the Board of Control and the City Hall and Court House Committee provided that before payment of such claims shall be made by the Comptroller and placed to the credit of the city.

Council May Audit.

Commissioner in cases of emergency and pending appointment from an eligible list. During such temporary employment shall continue longer than sixty days nor shall successive temporary employments of the same person be allowed.

I. For removal from any position to a superior position in the same class and grade and also for reinstatement within one year of persons who were not held in disqualification on their last day and separated from the service as provided.

J. For promotion based on merit, an examination and upon a record of character, conduct and ability. Tests shall be prepared and given and promotions made therefrom in the same manner as provided herein for vacant appointments. Any advancement or promotion shall be subject to the limit fixed by the rules shall constitute a promotion. Whenever practical vacancies shall be filled by promotion.

K. For suspensions for not longer than thirty days and for leaves of absence.

L. For discharge or reduction either in rank or compensation after appointment or promotion only when the person to be discharged or reduced has been presented with the reasons for such discharge or reduction, specifically stated in writing and has been allowed a reasonable time to reply thereto in writing. The reasons and the reply must be filed as a public record with the Commissioner.

M. For the appointment of unskilled laborers in the order of priority of application after such tests of fitness as the Commissioner may prescribe.

Exceptions to Rules.

Sec. 102. In cases of a vacancy in any office which requires peculiar or exceptional qualifications of a scientific, professional or expert character, and upon satisfactory evidence that competition is impracticable and that the office can best be filled by the selection of some designated person, the Commissioner may, with the written consent of the Mayor, suspend competition, but no such suspension shall be general in its application to such office and all such cases of suspension shall be reported, together with the reasons therefor, in the annual reports of the Commissioner.

Examinations.

Sec. 103. All examinations shall be impartial and shall have reference to the duties and requirements of the office or position to be filled. When civil servants are employed, a complete record of questions and answers shall be made. Examinations shall be in charge of the chief examiner, except when the Commissioner shall act as examiner. The Commissioner may call on other persons to conduct or mark examinations and when such persons are connected with the city service it shall be deemed a part of their official duty to act as such examiners without extra compensation.

Present Incumbents.

Sec. 104. All persons holding positions in the classified service of the city as established by this charter, at the time it takes effect, shall retain their positions until discharged, re-elected, promoted or transferred in accordance therewith. The Commissioner shall keep as a public record a civil list of all persons in the service of the city which shall show the name of every officer or employe, the office or service, position held, the date and character of every promotion and of every subsequent promotion and re-election, and every change of salary or otherwise. Such appointments shall promptly be transferred to the proper department and all information required for the establishment of said civil list.

Prohibitions.

Sec. 105. No treasurer, or any other disbursement officer, shall pay any salary or compensation to any person for any service in the classified service unless the person is on the civil list and the salary or compensation shall bear the certificate of the Commissioner that the person has been appointed or promoted and is performing service in the classified service of the city.

Officers: (a) Vice-Presidents.

Sec. 113. On the first Tuesday of June of each even numbered year, or as soon thereafter as practicable, the council, by ballot, shall elect from its members a vice-president and a second vice-president, each of whom shall hold office for a term of two years beginning with the first Tuesday and until their successors are elected.

the City Clerk.

Sec. 114. The council shall elect for the same term and in the same manner, a City Clerk, who shall hold office until his successor is elected and is qualified.

Journal Notes.

Sec. 114. The council shall keep a journal of its proceedings, and the year and date when taken on any question shall be entered therein. Any member present who fails to vote shall be counted in the negative. The presiding officer at each regular session shall sign, during the session, the City Clerk's record of the proceedings of the last meeting, after the same has been corrected and approved by the council.

Acting Mayor.

Sec. 115. During the absence of the Mayor from the city, or in case of his death, inability, or incapacity for any reason to discharge the duties of his office, the vice-president of the council shall exercise all the powers and discharge all the duties of the Mayor and he shall be styled, Acting Mayor of St. Paul, and the second vice-president of the council shall perform the duties and exercise the powers of Acting Mayor in case of the inability of the vice-president to act as Acting Mayor.

Legislation, Mode of: (a) Ordinances.

Sec. 116. Every act or bill of the council which shall define, license, regulate, suppress, prevent or prohibit any act, business or person, or be in any way an exercise of the legislative powers, grant any right, franchise or privilege or a modification thereof, or appropriate any money or create any liability against the city shall be expressed in, done by and created by an ordinance. And likewise any amendment, modification or repeal of an existing ordinance of a similar character.

(b) Administrative Ordinances.

Every act or bill which shall define, regulate or create any office, or prescribe the powers and duties of any officer or department, or the procedure for the performance of any administrative act, or promulgate any rule or regulation for the better government and conduct of the city government shall be created by, expressed and done under an administrative ordinance.

(c) Resolutions.

Every other act, deed, expression, order or direction, not heretofore defined or limited, or the approval of any administrative act shall be performed by means of and done under a resolution of the council and not otherwise.

Ordinances: Form and Procedure.

Sec. 117. Whenever any proposed ordinance shall be presented to the council, it shall be read in full at the meeting at which it shall be presented and read again by the title thereof at two separate meetings not less than a week after the meeting at which the same is presented. After such ordinance shall be complete in the form in which it is finally passed, it shall remain on file in the office of the City Clerk for public inspection at least one week before the final passage or adoption thereof. No ordinance, except that creating the annual budget, shall embrace more than one subject, which shall be expressed in the title.

Ordinances making appropriations shall be read and adopted by appropriation articles.

Sec. 118. The council of all the above mentioned acts shall be in the form of a resolution. The council shall be organized by the Mayor and the City Clerk shall be the presiding officer. The council shall be organized by the Mayor and the City Clerk shall be the presiding officer.

Administrative Ordinances.

Sec. 119. The council shall have the power to make, amend, modify, repeal, suspend, or annul any administrative ordinance, subject to the right of appeal hereunder.

the disapproval thereof by the Mayor. In all other respects the provisions of the preceding section shall apply to administrative ordinances.

Publication in Newspaper.

Sec. 120. Except as herein otherwise provided every ordinance, administrative ordinance and resolution shall be published in full in the official newspaper, and each shall be provided by the city clerk in separate books for each class. There shall be admitted as evidence in any court without further proof. Resolutions may be published with the date of their approval without appearing thereto the signature.

The council may, by an administrative ordinance, provide for the publication in the official newspaper of the title and abstracts of the contents of all ordinances, except appropriation ordinances, administrative ordinances and resolutions instead of and in place of such publication in full as heretofore provided. In the event of the publication of such abstracts, it is hereby made the duty of the corporation council to prepare the same for the City Clerk.

Proof of the publication of any ordinance, administrative ordinance or resolution shall be made by an affidavit of the publisher, printer, his foreman or his clerk, of such newspaper with a printed copy of such publication thereto annexed, or other competent proof of publication, and the same shall be prima facie evidence in any court of the legal passage, enactment, approval, publication and promulgation thereof.

Publication in Volume.

Sec. 124. As soon as practicable after the first day of January of each year the City Clerk shall cause to be published in full and in a separate book with index thereto every ordinance adopted during the preceding year, and likewise in a separate book every administrative ordinance, but such separate books may be bound in one volume or under the same covers, and shall constitute part of and be known respectively as the "Legislative Code" and the "Administrative Code."

Revisions.

Sec. 125. The council at any time, may make a complete and thorough revision of all the ordinances of the city, except franchise ordinances, and unit from such revision all appropriations and all other ordinances and then in each and adopt such revision as a single ordinance and publish the same as a separate book to be known as the "Legislative Code." And likewise revise, adopt and publish all administrative ordinances under the title of "Administrative Code." Such books may be published and issued in separate volumes or in one volume.

General Powers of the Council.

Sec. 126. The council shall have the full management and full control of the property and finances of the city subject to the provisions of this charter; to appropriate money for city purposes only except as herein otherwise provided, and shall have full power and authority to make, enact, ordain, establish, enforce, alter, modify, and amend and repeal any and all such ordinances, rules and by-laws for the good government of the city, the protection of its property, the preservation of peace and good order, the suppression of vice and intemperance, the prevention of crime, the benefit of trade and commerce, the preservation of health, the prevention and extinguishment of fires, and to promote the general welfare, education, comfort, and well-being of the city and its inhabitants. The enactment of any ordinance, rule or by-law hereunder shall be held and construed to be a reasonable and lawful exercise of the powers herein granted.

Specific Powers of Council.

Sec. 127. For a more specific enumeration and definition of some of the powers and duties of the council, a later ordinance may be passed and no additional powers shall be granted which shall have effect as if they were contained in this charter.

The Common Council Shall Have Powers.

Sec. 128. The council shall have the power to make, amend, modify, repeal, suspend, or annul any ordinance, subject to the right of appeal hereunder.

ST. PAUL REVIEW.

and all of section four (4) in township twenty-eight (28) of range twenty-three (23), all in Ramsey County, Minnesota, and also within any territory within two hundred (200) feet of any of the boundary limits thereof, nor within a distance of one-half (1/2) mile of any college, university or reformatory institution within the limits of the new territory added to said city by chapter 281 of S. L. 1885, validated by chapter 574, S. L. 1889.

4 To define, prevent, prohibit and suppress:

- a Gambling and fraudulent practices and devices.
- b Drunkenness and obscenity.
- c Vagrancy, mendicancy and prostitution.
- d Disorderly houses, houses of ill-fame and grogeries.
- e Riots, noise and disorderly assemblages.
- f Disorderly or mischievous conduct, or conduct annoying or dangerous to others, or detrimental to their rights of person or property.
- g Vice and crime.
- h All practices and acts whatsoever inconsistent with the preservation of peace and good order and the just rights and comfort of the inhabitants of the city.

5 To regulate and control, prevent and prohibit:

- a The use, sale or offering for sale of firearms, explosives, or fireworks or the use or exhibition of any firearms, fireworks or explosives in any place which may be considered by the common council dangerous or annoying to any citizen.
- b The receipts, storage, transportation and traffic in any inflammable oil or substance or any explosives within said city, or within one mile of the corporate limits thereof.
- c The carrying of concealed weapons.
- d The running at large of any animals.
- e The encroachment upon or obstructing or incumbering of any highways, sidewalks, public grounds or levees.
- f The cutting of ice within the city limits and the sale thereof.
- g The burial of the dead within the city limits or within one mile beyond such limits, and to regulate the location and conduct of cemeteries and crematories.
- h Places of bathing and swimming in the waters within the city limits.
- i The landing and conveyance of paupers and persons in destitute condition into said city not having a legal residence or settlement therein by any railroad train, boat, vessel or other means of conveyance, and to require that such persons shall be taken back to the place from whence they may have been brought by the person or persons conveying or leaving them in said city.
- j The penning, herding and treatment of all animals within the city.
- k The emission of dense smoke.

6 To define, regulate, prohibit and abate nuisances.

7 To compel owners, agents or occupants to keep all buildings and premises and the streets, sidewalks and alleys adjacent thereto in a cleanly, wholesome, safe and passable condition and to regulate the disposal and collection of all refuse whatsoever.

8 To compel the registration of births and deaths and the collection of other vital statistics.

9 To impose a tax on dogs and regulate the keeping thereof and to authorize the destruction of the same in a summary manner when at large contrary to the ordinance and to provide for the killing of dangerous or vicious dogs and to punish by fine or imprisonment the owner or keeper of any such dog.

2 To declare and impose fines and penalties and to enforce the same against any person who may violate any of the provisions of any ordinance or resolution and all such ordinances and resolutions are hereby declared to be and have the force of law; such fines and penalties may extend to a fine not exceeding one hundred dollars, or imprisonment in the workhouse not exceeding ninety (90) days or both; and offenders against any ordinance or resolution as aforesaid may be required to give security and to keep the peace not exceeding six months and in a sum not exceeding five hundred dollars.

3 To provide by ordinance that anyone convicted of an offence before the municipal court subjecting such offender to an imprisonment under the charter and ordinances of said city may be kept at hard labor in the workhouse established for that purpose.

4 To establish by ordinance all needful regulations for the security and discipline of such persons, provided that the municipal court shall not have the power to commit for vagrancy any persons to the city prison, city workhouse or county jail for a longer period than thirty days.

E. COUNTY PRISONERS: Power to contract as to. The provisions of Chapter 76 of the Special Laws of Minnesota 1883 so far as the same relate to the contracts for the confinement and board of county prisoners is hereby in all respects continued in full force and effect.

F. MUNICIPAL UNDERTAKINGS: The Council Shall Have Power By Ordinance:

1 **MARKETS**—To erect and maintain market houses and to establish markets and market places.

2 **WHARVES AND LEVEES**—To control, regulate and cause to be constructed, altered and maintained, wharves and levees and grading and paving along the banks of the Mississippi river within the city limits. To prescribe and control the prices to be charged for wharfage thereon; to prevent or remove all obstructions in the water of said river and to regulate the landings, levees, wharves and piers within the city limits and the boats and vessels landing and mooring at the same, and the charges therefor; to have and exercise the same power and control over the said river within the limits of said city that it may possess over its streets, highways and alleys so far as such power and control may not be inconsistent with the laws of the United States or of this state.

3 **GARAGE**—To establish and maintain a garage for the housing, care and repair of all automobiles owned by the city. When so established such garage shall be under the management and control of the Commissioner of Public Safety and shall be subject in all respects to the provisions of this charter. The Commissioner of Public Safety with the approval of the council may contract with the County of Ramsey for the housing, care and repair of any automobiles belonging to such county.

4 **POUNDS**—To establish and regulate public pounds and to provide for the impounding of animals running at large and the sale of unclaimed animals.

5 **LIGHTING**:

- a To provide for lighting the city and lighting and heating all public buildings and furnishing power thereto.
- b To establish, erect, maintain and cause to be operated gas works, electric lighting and power plants or other works for lighting the streets and public buildings and to regulate the same.

matter and shall hear the testimony and evidence on the part of the parties interested. Said body thereupon after hearing the same may by resolution passed by four-sevenths (4/7) affirmative vote of all the members elect declare such public grounds, streets, alleys or highways, county, territorial or state roads vacated. Before the same shall go into effect such resolution shall be published as in the case of ordinances and thereupon a transcript of such resolution and of said plat duly certified by the City Clerk shall, before the same is valid, be filed for record and duly recorded in the office of the Register of Deeds in the County of Ramsey. No vacation of any street, alley or public grounds in said city shall hereafter be allowed except upon such terms and conditions as to the compensation, if any, to be paid by the persons seeking such vacation, otherwise as shall be specified in the resolution ordering such vacation, nor shall said council order any vacation without adequate compensation to said city.

Provided in case the Plat Commission shall have approved the plat embracing the premises proposed to be vacated which plat dedicates to the public use in the opinion of said council land equivalent in area and value to the premises sought to be vacated, then said council may by a four-sevenths (4/7) affirmative vote of all the members-elect accept said plat and pass a resolution of vacation and after said plat and said resolution have been recorded in said Register's office, said vacation shall be valid without the payment of money into the said city treasury. Provided, further, however, that vacations and discontinuances of such county, territorial and state roads may be granted upon a petition of a majority of the owners of property through which the same or the portions thereof sought to be vacated exist, when such owners have platted the same and shall have provided in lieu of such roads sufficient streets in the opinion of the Commissioner of Public Works and the council, of which fact the approval of said Commissioner and the acceptance of said plat and the resolutions of vacation shall, when recorded be conclusive evidence.

Lease of Levee.

Sec. 130. The council are hereby authorized by ordinance to lease to any person, company or corporation any part or portion of the levee known as the West Side Levee in the Sixth (6th) ward of the City of St. Paul, Minnesota, as the same is designated and shown on the maps on file in the office of the Commissioner of Public Works of the City of St. Paul, the said leases to be for such purposes and upon such terms and for such a length of time as the council shall prescribe; provided, however, that such leases not be for a longer term than five years.

Work House Authorized.

Sec. 131. The Council of the City of St. Paul is hereby authorized and empowered to establish, erect and maintain a work house for the confinement and punishment of prisoners sentenced thereto by the Municipal Court of the City of St. Paul, or the District Court of the Second Judicial District of Ramsey County (S. L. 1882, Chapter 190, Sec. 1).

Nuisances.

Sec. 132. The powers conferred upon the council to provide for the abatement and removal of nuisances shall not bar or hinder suits, prosecutions or proceedings in the courts according to law.

Miscellaneous Restrictions.

Sec. 133. The council shall have no power to:

1. **NEW OR SALARIED OFFICES**—Create any new or salaried office not specified in this charter or in any manner to increase the salary or compensation of any officer whose salary is fixed in this charter, or to employ any assistant whereby said city might be liable for any services rendered or attempted to be rendered in performing the duties imposed by law upon any salaried officer of said city; but nothing in this charter shall prevent said city and its officers from employing servants from day to day and from month to month as are authorized by this charter.
2. **DISPUTED DEMANDS ON CONTRACTS**—Authorize any compromise or any disputed demand arising out of contracts or any allowance thereon.

in ninety days of its publication and taking effect a petition shall be filed as aforesaid asking that such ordinance be submitted to the voters of the City of St. Paul for approval or rejection, said ordinance shall be so submitted, and if a majority of said electors voting thereon vote to reject such ordinance, said vote shall effect a repeal of said ordinance from and after the announcement of said result. In like manner any ordinance not an emergency ordinance may be repealed on referendum vote asked for by petition filed as aforesaid within ninety days after the publication of said ordinance.

Referendum Petition.

Sec. 138. Any petition demanding a referendum of any ordinance, shall refer to such ordinance by the number thereof, its title, the date of its approval, and the date of its publication, and shall also briefly state the subject matter of said ordinance, and it may give the reasons for demanding such referendum. It shall be addressed to the council and shall conform so far as practicable to the requirements specified for recall petitions in the sections of this charter providing for recall.

Shall be Published.

Sec. 139. The council shall provide for the publication in full at least once in at least three daily papers published within the City of St. Paul of the full text of any ordinance submitted under this chapter to the voters of the city for approval or rejection. Such publication shall take place not less than ten days or more than fifteen days before the date of said election. When any such ordinance is to be so submitted at any special or general election, the notices of said election shall so state and shall designate said ordinances by number and title and shall set forth syllabi of said ordinances prepared by the corporation counsel of St. Paul.

Budget Ordinance.

Sec. 140. The budget ordinance of the ordinance providing annually for the support of the government of the City of St. Paul shall go into effect immediately upon publication. Said ordinance shall not be submitted to the voters of St. Paul for approval or rejection on petition or otherwise, provided that any item in said budget making appropriation for new outlay shall be subject to referendum in the same manner as though it were not part of said budget ordinance.

Voluntary Reference.

Sec. 140½. The council may by a majority vote submit to the voters of St. Paul any ordinance without petition in the same manner as said ordinance might have been submitted on petition.

Repeal of Ordinance Approved By Voters.

Sec. 141. No ordinance adopted by the voters of St. Paul on their initiative or approved by said voters on referendum shall be repealed by the council within one year after its approval nor shall it be repealed at all except upon the unanimous vote of all the members elected to the council and with the approval of the mayor expressed in writing or by a majority vote of all the electors voting thereon at a referendum election at which the repeal of said ordinance is submitted under the provisions of this chapter.

Ballots.

Sec. 142. The ballots used in voting upon any measure as provided for in this chapter shall set forth in full the title thereof and state briefly the general nature thereof, and thereafter in larger type contain the words, "For the ordinance," (or resolution as the case may be) and "Against the ordinance," (or resolution as the case may be) and shall contain a square opposite each of the aforesaid phrases in quotations so that the elector by a mark in the square may indicate whether he is for or against the ordinance. Number submitted.

Sec. 143. Any number of ordinances may be submitted at the same election.

Vote necessary.

Sec. 144. Any ordinance receiving an affirmative vote in its favor of a majority of all the electors voting thereon shall be declared passed and shall be in force from and after such

Paul shall base any call collect any profits upon said franchise, it being this charter to restrict holders of the City of reasonable return upon property of said franchise within the City of St. Paul by declared that all franchises granted by the City of St. Paul for the sole purpose of people of St. Paul with services, and that the franchise and all benefits therefrom shall inalienably be property in trust for said people or profits of any corporation doing business in St. Paul shall be for the earned increment of franchises granted by the city shall define clearly any streets, alleys and public rights granted, which said franchises shall be valid, and no grant terms shall be valid, shall be granted by the City of St. Paul.

Publication, Franchise.

Sec. 153. All provisions for the granting of franchises shall be published in full in the official publication week before its first council. No proposed franchise shall be passed until its final passage within the has been put into the it shall be passed by the City of St. Paul.

Fixing Charges—Grossment.

Sec. 154. In the and all franchises the hereby reserves the through the Council, provided by law, to be collected for rendered under said or undesirable to the as will prevent the securing any benefit said franchise, then its Council, or other such tax upon gross secure for said city of the value of said of St. Paul is hereby to fix rates for a within the city.

All franchise-holders franchise in the City file annually on Monday of February the City Comptroller, subscribed and sworn officers of such corporation, individual in control, partnership, set for the preceding then actual cost of operated by said sons, the actual and obligations the names and residence holders, and the at by each, and the therefor to the corporation and the residences of the partnerships; in case exercised by individual ship; an itemized statement and liabilities ation; the gross earnings and nature thereof for such calendar corporation, and in case of co-partnership done under such franchise shall conform may be prepared by the City Comptroller in a public inspection, public inspection hours of the Comptroller shall of the Comptroller such further and statements as the Council relative ed and received for ative to the character of such service, number of persons The books, records of every such corporation or co-partnership inspection and ex of St. Paul by such person or persons direct. Every corporation or co-partnership with the provision

the fines and enforce the person who of the pro- ordnance or l such or- ditions are be and have such fines extend to a one hundred in not exceeding or both; and et any or- tion as afore- d to give keep the peace x months and exceeding five

ance that any- an offence be- al court sub- tender to an der the char- nces of said at hard labor e established

ance all need- the security such persons, he municipal ve the power vagrancy any y prison, city nty jail for a n thirty days.

St. Power to the provisions of the Special ta 1888 so far te to the con- nement and prisoners is respects con- and effect.

MAKINGS: The ve Power By

and maintain d to establish rket places.

LEVEES.—To e and cause to be altered and wharves and ng and paving s of the Missis- within the city scribe and con- to be charged hereon; to pre- ve all obstruc- ter of said river e the landings, es and piers

imits and the g landing and e same, and the or; to have and me power and the said river its of said city

essess over its ys and alleys ch power and not be incon- ne laws of the r of this state, lish and main- or the housing, r of all auto- blished such e under the d control of the of Public Safe- subject in all e provisions of The Commis- ic Safety with of the council r of any auto- nging to such

ublish and regu- nds and to pro- mpounding of g at large and lained animals.

ighting the city and heating all s and furnis- eto.

irect, maintain e operated gas e lighting works or streets, and e other things e power thereo

matter and shall hear the testimony and evidence on the part of the parties interested. Said body thereupon after hearing the same may by resolution passed by four-sevenths (4/7) affirm or declare such public grounds, streets, alleys or highways, county, territorial or state roads vacated. Before the same shall go into effect such resolution shall be published as in the case of ordinances and thereupon a transcript of such resolution and of said plat duly certified by the City Clerk shall, before the same is valid, be filed for record and duly recorded in the office of the Register of Deeds in the County of Ramsey. No vacation of any street, alley or public grounds in said city shall hereafter be allowed except upon such terms and conditions as to the compensation, if any, to be paid by the persons seeking such vacation, or otherwise as shall be specified in the resolution ordering such vacation, nor shall said council order any vacation without adequate compensation to said city.

Provided in case the Plat Commission shall have approved the plat embracing the premises proposed to be vacated which plat dedicates to the public use in the opinion of said council land equivalent in area and value to the premises sought to be vacated, then said council may by a four-sevenths (4/7) affirmative vote of all the members-elect accept said plat and pass a resolution of vacation and after said plat and said resolution have been recorded in said Register's office, said vacation shall be valid without the payment of money into the said city treasury. Provided, further, however, that vacations and discontinuances of such county, territorial and state roads may be granted upon a petition of a majority of the owners of the portions thereof sought to be vacated exist, when such owners have platted the same and shall have provided in lieu of such roads sufficient streets in the opinion of the Commissioner of Public Works and the council, of which fact the approval of said Commissioner and the acceptance of said plat and the resolutions of vacation shall, when recorded be conclusive evidence.

Lease of Levee.
Sec. 130. The council are hereby authorized by ordinance to lease to any person, company or corporation any part or portion of the levee known as the West Side Levee in the Sixth (6th) ward of the City of St. Paul, Minnesota, as the same is designated and shown on the maps on file in the office of the Commissioner of Public Works of the City of St. Paul, the said leases to be for such purposes and upon such terms and for such a length of time as the council shall prescribe; provided, however, that such leases not be for a longer term than five years.

Work House Authorized.
Sec. 131. The Council of the City of St. Paul is hereby authorized and empowered to establish, erect and maintain a work house for the confinement and punishment of prisoners sentenced thereto by the Municipal Court of the City of St. Paul, or the District Court of the Second Judicial District of Ramsey County (S. L. 1881, Chapter 190, Sec. 1).

Nuisances.
Sec. 132. The powers conferred upon the council to provide for the abatement and removal of nuisances shall not bar or hinder suits, prosecutions or proceedings in the courts according to law.

Miscellaneous Restrictions.

Sec. 133. The council shall have no power to:
1. NEW OR SALARIED OFFICES.—Create any new or salaried office not specified in this charter or in any manner to increase the salary or compensation of any officer whose salary is fixed in this charter, or to employ any assistant whereby said city might be liable for any services rendered or attempted to be rendered in performing the duties imposed by law upon any salaried officer; but not prevent said officer from being employed by the city and its officers from day to day and from month to month as are authorized in this charter.
2. DISBURSED DEMANDS ON CONTRACTS.—Authorize any compromise, any disputed demand arising out of contracts or any allowance thereof

in ninety days of its publication and taking effect a petition shall be filed as aforesaid asking that such ordinance be submitted to the voters of the City of St. Paul for approval or rejection, said ordinance shall be so submitted, and if a majority of said electors voting thereon vote to reject such ordinance, said vote shall effect a repeal of said ordinance from and after the announcement of said result. In like manner any ordinance not an emergency ordinance may be repealed on referendum vote asked for by petition filed as aforesaid within ninety days after the publication of said ordinance.

Referendum Petition.

Sec. 138. Any petition demanding a reference of any ordinance, shall refer to such ordinance by the number thereof, its title, the date of its approval, and the date of its publication, and shall also briefly state the subject matter of said ordinance, and it may give the reasons for demanding such reference. It shall be addressed to the council and shall conform so far as practicable to the requirements specified for recall petitions in the sections of this charter providing for recall.

Shall be Published.

Sec. 139. The council shall provide for the publication in full at least once in at least three daily papers published within the City of St. Paul of the full text of any ordinance submitted under this chapter to the voters of the city for approval or rejection. Such publication shall take place not less than ten days or more than fifteen days before the date of said election. When any such ordinance is to be so submitted at any special or general election, the notices of said election shall so state and shall designate said ordinances by number and title, and shall set forth syllabi of said ordinances prepared by the corporation counsel of St. Paul.

Budget Ordinance.

Sec. 140. The budget ordinance of the ordinance providing annually for the support of the government of the City of St. Paul shall go into effect immediately upon publication. Said ordinance shall not be submitted to the voters of St. Paul for approval or rejection on petition or otherwise, provided that any item in said budget making appropriation for new outlay shall be subject to referendum in the same manner as though it were not part of said budget ordinance.

Voluntary Reference.

Sec. 140 1/2. The council may by a majority vote submit to the voters of St. Paul any ordinance without petition in the same manner as said ordinance might have been submitted on petition.

Repeal of Ordinance Approved By Voters.

Sec. 141. No ordinance adopted by the voters of St. Paul on their initiative or approved by said voters on referendum shall be repealed by the council within one year after its approval nor shall it be repealed at all except upon the unanimous vote of all the members elected to the council and with the approval of the mayor expressed in writing or by a majority vote of all the electors voting thereon at a referendum election at which the repeal of said ordinance is submitted under the provisions of this chapter.

Ballots.

Sec. 142. The ballots used in voting upon any measure as provided for in this chapter shall set forth in full the title thereof and state briefly the general nature thereof, and thereafter in larger type contain the words, "For the ordinance," (or resolution as the case may be) and "Against the ordinance," (or resolution as the case may be) and shall contain phrases in quotation of the aforesaid phrases in quotation so that the elector by a mark in the square may indicate whether he is for or against the ordinance. Number submitted at the same election.

Note.

Sec. 144. Any ordinance receiving an affirmative vote in its favor of a majority of all the electors voting thereon shall be declared passed and shall be in force from and after such

Paul shall base any capitalization or collect any profits upon the value of said franchise, it being the intent of this charter to restrict all franchise-holders of the City of St. Paul to a reasonable return upon the tangible property of said franchise-holder in use within the City of St. Paul. It is hereby declared that all franchises granted by the City of St. Paul are granted for the sole purpose of providing the people of St. Paul with needed public services, and that the value of said franchise and all benefits to be derived therefrom shall remain forever inalienably the property of said city in trust for said people. No charges or profits of any public service corporation doing business in the City of St. Paul shall be founded upon unearned increment of land. All franchises granted by the City of St. Paul shall define clearly and fully the specific rights granted, and the specific streets, alleys and others places in which said franchises shall be exercised, and no grant made in general terms shall be valid, and no privilege shall be granted by implication.

Publication, Franchise Ordinances.

Sec. 153. All proposed ordinances for the granting of franchises shall be published in full at least once in the official publication of the city a week before its first reading in the council. No proposed ordinances granting a franchise shall be placed upon its final passage within thirty days after it has been put into the form in which it shall be passed and adopted.

Fixing Charges—Gross Earnings Statement.

Sec. 154. In the granting of any and all franchises the City of St. Paul hereby reserves the right, either through the Council, or otherwise as provided by law, to regulate the rates to be collected for the service to be rendered under said franchise. If it be found by the Council impracticable or undesirable to prescribe such rates as will prevent franchise-holders from securing any benefit from the value of said franchise, then said city through its Council or otherwise, may impose such tax upon gross earnings as may secure for said city the full benefit of the value of said franchise. The City of St. Paul is hereby granted the right to fix rates for all public services within the city.

All franchise-holders exercising any franchise in the City of St. Paul, shall file annually on or before the first Monday of February, in the office of the City Comptroller, a statement subscribed and sworn to by at least two officers of such corporation, or by the individual in control, in case such franchise is exercised by an individual or co-partnership, setting forth in detail for the preceding calendar year the actual cost of the plant or business operated by said corporation or persons, the actual incumbrances, debts and obligations thereon, if any, the names and residences of the stock holders, and the amount of stock held by each, and the consideration paid therefor to the corporation; the names and residences of the individuals or co-partnerships; in case such franchise is exercised by individual or co-partnership; an itemized statement of the assets and liabilities of any such corporation; the gross earnings, the expenses and nature thereof, and the net income for such calendar year of any such corporation, and in case of an individual or co-partnership, of the business done under such franchise. Such statement shall conform to such forms as may be prepared from time to time by the City Comptroller. Every such statement shall be preserved by the Comptroller in suitable manner for public inspection, and shall be open to public inspection during the business hours of the Comptroller's office. Every such corporation, individual or co-partnership shall also file in the office of the Comptroller from time to time such further and additional reports and statements as may be required by the Council relative to the rates charged and received for public service, relative to the character and frequency of such service, and relative to the number of persons using such service. The books, records, bills and vouchers of every such corporation, individual or co-partnership shall be open to inspection and examination in the City of St. Paul by such officers of said city, person or persons as the Council may direct. Every corporation, individual or co-partnership who fails to comply with the provisions of this section shall

same shall sprinkle, clean, keep in repair and free from snow, and pave and re-pave so much of the streets or other public places herein mentioned which may be occupied by such street railways, as lie between the rails of each railway track, and between the lines of double track, and for a space of two feet outside of such track.

Additional Restrictions.

Sec. 162. Said City of St. Paul shall have the power through the Council or other proper manner, to impose other terms, conditions and restrictions additional to those prescribed by this charter, upon the grant of any such right, privilege or franchise aforesaid, including suitable provisions that the whole or any part of the property used in the exercise or enjoyment of any right, privilege, or franchise, shall upon the expiration thereof, become the property of said city with or without further compensation.

Abandonment of Franchises.

Sec. 163. All rights, privileges, and franchises heretofore granted by any lawful authority in, over, under or upon any of the streets, highways, alleys, public grounds or other property of said city, which have never been exercised, or which have been abandoned or have been disused for more than three years before the time when this charter becomes effective, are hereby declared to be forfeited and invalid. Nothing in this paragraph shall be construed as restoring any rights forfeited under any former law, ordinance or charter.

Cost of Bridges.

Sec. 164. All franchises for street or interurban railways hereafter granted shall provide that any such railroad shall pay to the city a sum not less than five per cent per annum so long as such franchise shall exist or be used on one-third of the cost of any city bridge over which such franchise shall extend. In the event any application is made for a franchise over a bridge not yet built or completed, the Council shall cause an estimate to be made of the true cost of such bridge, and such estimate, corrected by actual figures of cost when the same is available, shall be the basis of computation for fixing the amount to be paid for the franchise over said bridge.

Carrying of Firemen, Etc.

Sec. 165. Every street railway franchise shall contain a provision that policemen, firemen, city health officers, and United States mail carriers, when in uniform and in the discharge of their duties as such, shall be carried free and with all the rights of passengers.

Poles—Erection Of.

Sec. 166. All franchises granted to any person or corporation for the erection of poles or masts on or along the streets or other public places of the city for the conduct of electricity or for telegraph or telephone purposes, shall contain a condition and stipulation that the upper arm of all such poles or masts, now erected or to be erected under any existing franchise in the city, shall be reserved for the exclusive use of the city; and that any franchise granting the right to construct conduits in or under such places for said purposes, or any other purpose, shall contain a provision that a reasonable portion, to be definitely stated in the ordinance granting the franchise, shall be reserved for the exclusive use of the city.

Regulations of Service.

Sec. 167. The grant of every franchise shall be made especially subject to the condition that the Council shall have the right with respect to any such franchise so granted:

(1) To require the elevation or depression of the tracks of a railway or street railway, or the placing under ground of wires, whenever such action is deemed by said Council necessary in the interest of public safety or convenience.
(2) To require reasonable extensions of any public service system.
(3) To make such rules and regulations as may be required to secure adequate and proper service, and to provide sufficient accommodations for the public.

Council Powers—Present Franchises.

Sec. 168. The powers hereinafore enumerated as express provisions of this charter, are hereby granted to the Council, subject to public safety and convenience.

THE PRECEDING
DOCUMENT HAS
BEEN REFILMED
TO ENSURE
LEGIBILITY

and all of section four (4) in township twenty-eight (28) of range twenty-three (23), all in Ramsey County, Minnesota, and also within any territory within two hundred (200) feet of any of the boundary limits thereof, nor within a distance of one-half (1/2) mile of any college, university or reformatory institution within the limits of the new territory added to said city by chapter 281 of S. L. 1885, validated by chapter 574, S. L. 1889.

- 4 To define, prevent, prohibit and suppress:
 - a Gambling and fraudulent practices and devices.
 - b Drunkenness and obscenity.
 - c Vagrancy, mendicancy and prostitution.
 - d Disorderly houses, houses of ill-fame and grogeries.
 - e Riots, noise and disorderly assemblages.
 - f Disorderly or mischievous conduct, or conduct annoying or dangerous to others, or detrimental to their rights of person or property.
 - g Vice and crime.
 - h All practices and acts whatsoever inconsistent with the preservation of peace and good order and the just rights and comfort of the inhabitants of the city.
- 5 To regulate and control, prevent and prohibit:
 - a The use, sale or offering for sale of firearms, explosives, or fireworks or the use or exhibition of any firearms, fireworks or explosives in any place which may be considered by the common council dangerous or annoying to any citizen.
 - b The receipts, storage, transportation and traffic in any inflammable oil or substance or any explosives within said city, or within one mile of the corporate limits thereof.
 - c The carrying of concealed weapons.
 - d The running at large of any animals.
 - e The encroachment upon or obstructing or incumbering of any highways, sidewalks, public grounds or levee.
 - f The cutting of ice within the city limits and the sale thereof.
 - g The burial of the dead within the city limits or within one mile beyond such limits, and to regulate the location and conduct of cemeteries and crematories.
 - h Places of bathing and swimming in the waters within the city limits.
 - 1 The landing and conveyance of paupers and persons in destitute condition into said city not having a legal residence or settlement therein by any railroad train, boat, vessel or other means of conveyance, and to require that such persons shall be taken back to the place from whence they may have been brought by the person or persons conveying or leaving them in said city.
 - 2 The penning, herding and treatment of all animals within the city.
 - k The emission of dense smoke.
 - 6 To define, regulate, prohibit and abate nuisances.
 - 7 To compel owners, agents or occupants to keep all buildings and premises and the streets, sidewalks and alleys adjacent thereto in a cleanly, wholesome, safe and passable condition and to regulate the disposal and collection of all refuse whatsoever.
 - 8 To compel the registration of births and deaths and the collection of other vital statistics.
 - 9 To impose a tax on dogs and regulate the keeping thereof and to authorize the destruction of the same in a summary manner when at large contrary to the ordinance and to provide for the killing of dangerous or vicious dogs and to punish by fine or imprisonment the owner or keeper of any such dog who is responsible for any such

- 2 To declare and impose fines and penalties and to enforce the same against any person who may violate any of the provisions of any ordinance or resolution and all such ordinances and resolutions are hereby declared to be and have the force of law; such fines and penalties may extend to a fine not exceeding one hundred dollars, or imprisonment in the workhouse not exceeding ninety (90) days or both; and offenders against any ordinance or resolution as aforesaid may be required to give security and to keep the peace not exceeding six months and in a sum not exceeding five hundred dollars.
 - 3 To provide by ordinance that anyone convicted of an offence before the municipal court subjecting such offender to an imprisonment under the charter and ordinances of said city may be kept at hard labor in the workhouse established for that purpose.
 - 4 To establish by ordinance all needful regulations for the security and discipline of such persons, provided that the municipal court shall not have the power to commit for vagrancy any persons to the city prison, city workhouse or county jail for a longer period than thirty days.
- E. COUNTY PRISONERS: Power to contract as to.** The provisions of Chapter 76 of the Special Laws of Minnesota 1883 so far as the same relate to the contracts for the confinement and board of county prisoners is hereby in all respects continued in full force and effect.
- F. MUNICIPAL UNDERTAKINGS: The Council Shall Have Power By Ordinance:**
- 1 **MARKETS**—To erect and maintain market houses and to establish markets and market places.
 - 2 **WHARVES AND LEVEES**—To control, regulate and cause to be constructed, altered and maintained, wharves and levees and grading and paving along the banks of the Mississippi river within the city limits. To prescribe and control the prices to be charged for wharfage thereon; to prevent or remove all obstructions in the water of said river and to regulate the landings, levees, wharves and piers within the city limits and the boats and vessels landing and mooring at the same, and the charges therefor; to have and exercise the same power and control over the said river within the limits of said city that it may possess over its streets, highways and alleys so far as such power and control may not be inconsistent with the laws of the United States or of this state.
 - 3 **GARAGE**—To establish and maintain a garage for the housing, care and repair of all automobiles owned by the city. When so established such garage shall be under the management and control of the Commissioner of Public Safety and shall be subject in all respects to the provisions of this charter. The Commissioner of Public Safety with the approval of the council may contract with the County of Ramsey for the housing, care and repair of any automobiles belonging to such county.
 - 4 **POUNDS**—To establish and regulate public pounds and to provide for the impounding of animals running at large and the sale of unclaimed animals.
 - 5 **LIGHTING:**
 - a To provide for lighting the city and lighting and heating all public buildings and furnishing power thereto.
 - b To establish, erect, maintain and cause to be operated gas works, electric lighting and power plants or other works for lighting the streets and public buildings.

matter and shall hear the testimony and evidence on the part of the parties interested. Said body thereupon after hearing the same may by resolution passed by four-sevenths (4/7) affirmative vote of all the members elect declare such public grounds, streets, alleys or highways, county, territorial or state roads vacated. Before the same shall go into effect such resolution shall be published as in the case of ordinances and thereupon a transcript of such resolution and of said plat duly certified by the City Clerk shall, before the same is valid, be filed for record and duly recorded in the office of the Register of Deeds in the County of Ramsey. No vacation of any street, alley or public grounds in said city shall hereafter be allowed except upon such terms and conditions as to the compensation, if any, to be paid to the persons seeking such vacation as otherwise as shall be specified in the resolution ordering such vacation, nor shall said council order any vacation without adequate compensation to said city.

Provided in case the Plat Commission shall have approved the plat embracing the premises proposed to be vacated which plat dedicates to the public use in the opinion of said council land equivalent in area and value to the premises sought to be vacated, then said council may by a four-sevenths (4/7) affirmative vote of all the members-elect accept said plat and pass a resolution of vacation and after said plat and said resolution have been recorded in said Register's office said vacation shall be valid without the payment of money into the said city treasury. Provided, further, however, that vacations and discontinuances of such county, territorial and state roads may be granted upon a petition of a majority of the owners of property thereof sought to be vacated exist, when such owners have platted the same and shall have provided in lieu of such roads sufficient streets in the opinion of the Commissioner of Public Works and the council, of which fact the approval of said Commissioner and the acceptance of said plat and the resolutions of vacation shall, when recorded be conclusive evidence.

Lease of Levee.

Sec. 130. The council are hereby authorized by ordinance to lease to any person, company or corporation any part or portion of the levee known as the West Side Levee in the Sixth (6th) ward of the City of St. Paul, Minnesota, as the same is designated and shown on the maps on file in the office of the Commissioner of Public Works of the City of St. Paul, the said leases to be for such purposes and upon such terms and for such a length of time as the council shall prescribe; provided, however, that such leases not be for a longer term than five years.

Work House Authorized.

Sec. 131. The Council of the City of St. Paul is hereby authorized and empowered to establish, erect and maintain a work house for the confinement and punishment of prisoners sentenced there by the Municipal Court of the City of St. Paul, or the District Court of the Second Judicial District of Ramsey County (S. L. 1881, Chapter 190, Sec. 1).

Nuisances.

Sec. 132. The powers conferred upon the council to provide for the abatement and removal of nuisances shall not bar or hinder suits, prosecutions or proceedings in the courts according to law.

Miscellaneous Restrictions.

Sec. 133. The council shall have no power to:

1. **NEW OR SALARIED OFFICES**—Create any new or salaried office not specified in this charter or in any manner to increase the salary or compensation of any officer whose salary is fixed in this charter, or to employ any assistant whereby said city might be liable for any services rendered or attempted to be rendered in performing the duties imposed by law upon any salaried officer of said city; but nothing in this charter shall prevent said city from employing such officers and servants from day to day and from month to month as are authorized in this charter.
2. **DISPUTED DEMANDS ON CONTRACTS**—Authorize any compromise or settlement of any disputed demand arising out of any contract or any allowance therefor.

in ninety days of its publication and taking effect a petition shall be filed as aforesaid asking that such ordinance be submitted to the voters of the City of St. Paul for approval or rejection, said ordinance shall be so submitted, and if a majority of said electors voting thereon vote to reject such ordinance, said vote shall effect a repeal of said ordinance from and after the announcement of said result. In like manner any ordinance not an emergency ordinance may be repealed on referendum vote asked for by petition filed as aforesaid within ninety days after the publication of said ordinance.

Referendum Petition.

Sec. 138. Any petition demanding a reference of any ordinance, shall refer to such ordinance by the number thereof, its title, the date of its approval, and the date of its publication, and shall also briefly state the subject matter of said ordinance, and it may give the reasons for demanding such reference. It shall be addressed to the council and shall conform so far as practicable to the requirements specified for recall petitions in the sections of this charter providing for recall.

Shall be Published.

Sec. 139. The council shall provide for the publication in full at least once in at least three daily papers published within the City of St. Paul of the full text of any ordinance submitted under this chapter to the voters of the city for approval or rejection. Such publication shall take place not less than ten days or more than fifteen days before the date of said election. When any such ordinance is to be so submitted at any special or general election, the notices of said election shall so state and shall designate said ordinances by number and title, and shall set forth syllabi of said ordinances prepared by the corporation counsel of St. Paul.

Budget Ordinance.

Sec. 140. The budget ordinance of the ordinance providing annually for the support of the government of the City of St. Paul shall go into effect immediately upon publication. Said ordinance shall not be submitted to the voters of St. Paul for approval or rejection on petition or otherwise, provided that any item in said budget making appropriation for new outlay shall be subject to referendum in the same manner as though it were not part of said budget ordinance.

Voluntary Reference.

Sec. 140 1/2. The council may by a majority vote submit to the voters of St. Paul any ordinance without petition in the same manner as said ordinance might have been submitted on petition.

Repeal of Ordinance Approved By Voters.

Sec. 141. No ordinance adopted by the voters of St. Paul on their initiative or approved by said voters on referendum shall be repealed by the council within one year after its approval nor shall it be repealed at all except upon the unanimous vote of all the members elected to the council and with the approval of the mayor expressed in writing or by a majority vote of all the electors voting thereon at a referendum election at which the repeal of said ordinance is submitted under the provisions of this chapter.

Ballots.

Sec. 142. The ballots used in voting upon any measure as provided for in this chapter shall set forth in full the title thereof and state briefly the general nature thereof, and thereafter in larger type contain the words, "For the ordinance," (or resolution as the case may be) and "Against the ordinance," (or resolution as the case may be) and shall contain a square opposite each of the aforesaid phrases in quotations so that the elector by a mark in the square may indicate whether he is for or against the ordinance. Number submitted.

Sec. 142 1/2. Any number of ordinances may be submitted at the same election.

Vote necessary.

Sec. 144. Any ordinance receiving a majority affirmative vote in its favor of a majority of all the electors voting thereon shall be declared passed and shall be in force from and after such

Paul shall base any collect any profits up said franchise, it being this charter to restrict holders of the City of reasonable return upon property of said franchise within the City of St. Paul declared that all by the City of St. Paul for the sole purpose of the people of St. Paul franchise and that derived therefrom shall inalienably the profits in trust for said corporation doing business St. Paul shall be earned increment of franchises granted by the shall define clearly the rights granted streets, alleys and which said franchise is, and no grant terms shall be valid shall be granted by

Publication, Franchise.

Sec. 153. All for the granting of be published in full the official publication week before its first council. No proposed franchise shall final passage within has been put into it shall be passed.

Fixing Charges—Grading.

Sec. 154. In the and all franchises hereby reserves through the Council provided by law, to be collected for rendered under said be found by the Council or undesirable to the as will prevent from securing any benefit said franchise, the its Council, or other such tax upon ground secure for said of the value of said of St. Paul is here to fix rates for within the city. All franchise holders file annually on Monday of February the City Comptroller and sworn officers of such franchise is exercised co-partnership, so for the preceding then actual cost of operated by said persons, the actual and obligations names and residences of holders, and the thereof to the and residences of partnerships; in exercised by individual ship; an itemized sets and liabilities; and nature thereof for such calendar corporation, and equal or co-partners done under such ment shall conform may be prepared by the City Comptroller in public inspection hours of the City such corporation partnership share of the Comptroller such statements and statements of the Council received and received of such service number of persons The books, records of every such or co-partners inspection and of St. Paul by person or persons direct. Every or co-partners with the provis

10. Building regulation and protection.

- to regulate the construction, repair and maintenance of all structures and the permanent equipment thereof and to provide for the safety of the occupants of all structures and all property in the vicinity thereof against danger from fire or panic or from methods of construction or installation detrimental to life, health or property, and to prohibit the use of buildings or parts of buildings when dangerous to life from collapse, fire or panic.
- b. FIRE LIMITS—Prescribe. To prescribe, contract or extend limits within which wooden buildings or buildings of other materials that shall not be considered as fire proof shall not be erected, placed or repaired; to direct that all and any buildings within the limits prescribed shall be made and constructed of fire proof materials; to prohibit the rebuilding of wooden buildings within the fire limits when the same shall have been damaged to the extent of fifty percent of the value thereof, and to prescribe the manner of, ascertaining such damages.
- c. To prescribe limits within which all roofs shall be covered by non-combustible material.
- d. Compel the installation in all structures of devices, appliances and arrangements for the preservation of life, health and property.
- e. To regulate the storage and handling of all combustible or other substances, articles, equipments or devices affecting the fire hazard.
- f. To license, regulate, prohibit, suppress the erection and maintenance of signs, signboards, billboards and fences.
- g. To establish and enforce building lines and to regulate the height of buildings.
- h. To regulate the measurement and inspection of building materials and of fuel of all kinds.
11. To regulate the location of stock yards, slaughter houses, rendering plants, soap factories, tanneries, stables, privies and other unwholesome or nauseous houses or places.
12. To designate and set apart certain thoroughfares as parkways or boulevards and regulate the use of the same and prohibit hauling heavy loads thereon.
- C. The Council Shall Have Power:
1. To pass all ordinances necessary or expedient for the preservation of health and the suppression of disease, to prevent the introduction of infectious or contagious diseases into the city, and to make and enforce quarantine laws. The jurisdiction of said city shall extend to and be enforced over any lands within the County of Ramsey purchased or used by said city for the purpose of a quarantine, for police and sanitary regulation; and for the preservation of the health of said city, and the suppression of disease and abatement of public nuisances, and the suppression of any business contrary to the sanitary regulation of the common council or the Commissioner of Health, the jurisdiction of said city shall extend for a circuit of one mile beyond the present or any future limits of said city.
2. Pass any other ordinances and resolutions necessary to carry out the intent and provisions of this charter.
- D. Penalties and Enforcement of Ordinances—The Council Shall Have Full Power and Authority:
1. To revoke for misconduct of a licensee any license granted under this charter.

heat and power to the citizens of said city and to occupy and use the public streets and conduits therein in connection therewith.

6. To purchase, erect, establish and maintain conduits, subways and appliances for lighting purposes, the use of which conduits, subways and appliances said common council may let to any person, firm or corporation contracting to light said city or part thereof for a term not exceeding said contract.

Provided, however, that the Commissioner of Public Utilities shall have exclusive power and jurisdiction within the limitations of this charter as to the location of all lamps.

6. MUNICIPAL PAVING PLANTS.—To provide, maintain and cause to be operated under the supervision of the Commissioner of Public Works, municipal quarries, apparatus and other facilities for the manufacture, construction and laying of all kinds of streets, pavements and sidewalks.

7. SPRINKLING PLANTS, ETC.—To provide, equip and maintain apparatus and facilities for the cleaning, repairing and sprinkling of streets, alleys, sidewalks, sidelawns, public grounds and levees and for the collection and disposal of garbage and all other waste material.

Control of Public Highways, Etc. City Not Liable for Railroad Accidents.

Sec. 128. The council shall have the care, supervision and control of all public highways, bridges, streets, alleys, public squares and grounds, sewers and other public improvements and public property within the limits of said city except as in this charter otherwise provided, and shall cause all streets which may have been opened and graded under the authority of said city or with its assent to be kept open and in repair and free from nuisances. The city corporation shall be exempt from all liability caused by railroads either to persons or property when said railroads' engines or cars are passing along, across, under, over or upon any street, lane, alley or other public way within the limits of the City of St. Paul.

Vacation of Streets, Etc.

Sec. 129. The council of said city shall have the sole and exclusive power to vacate or discontinue public grounds, streets, alleys and highways within said city, also all county, territorial and state roads, whether actually traveled or used at the date of the petition for vacation or not. No such vacation or discontinuance shall be granted or ordered by the council except upon the petition of the majority of the owners of the property on the line of such public grounds, streets, alleys or highways, resident within said city, save that a corporation whether domestic or foreign, may when interested join in and verify such petition by an officer thereof and be counted as a resident for the purposes of this section. Each petition provided for in this section shall bring forth the facts and reasons for such vacation accompanied by a plat of such public grounds, streets, alleys, or highways, county, territorial or state roads, proposed to be vacated and shall be verified by the oath of one of the petitioners.

The council shall thereupon, if it deem it expedient that the matter shall be proceeded with, order the petition to be filed of record with the City Clerk, who shall give notice by publication in the official paper of the city for four weeks for at least once a week to the effect that such petition has been filed as aforesaid and stating in brief its object and that said petition will be heard and considered by the said body on a certain day and place therein specified not less than ten days from the expiration of said publication. Said body, at the time and place appointed, shall investigate and consider the

petition, except as hereinafter provided.

3. DAMAGES FOR INJURIES.—To authorize the compromise or payment of any damages claimed for alleged injuries to persons or property except by ordinance adopted by a majority of the members-elect thereof.

4. The Council Cannot Relieve or Exempt.—Relieve any person or corporation from the payment of any lawful tax, assessment, fine or license, or from any burden imposed by law or order; nor shall it cause to be paid any demand not lawfully authorized and duly audited.

CHAPTER IX.

INITIATIVE AND REFERENDUM.

Initiative.—Sec. 134. Any ordinance may be proposed by petition by the qualified electors of the City of St. Paul, equal in number to ten per cent of the electors who voted for mayor at the last preceding city election.

Petition.—Sec. 135. Such petition shall completely set out in exact language the terms of such proposed ordinance. It shall be addressed to the council and shall be presented to and filed by the city clerk. In all other respects said petition shall conform so far as practicable, to the requirements for recall petitions as set forth in the sections of this charter relating to the recall.

If Council Fails to Pass.—Sec. 136. Should the council fail to pass without change within sixty days of its presentation by petition as aforesaid, any ordinance said ordinance shall be submitted by the city clerk at the next election in the City of St. Paul, whether general or special, city or state, to the qualified electors of said city for approval or rejection as hereinafter provided, provided that said election must take place not less than ninety days after said petition was originally presented to said council. If the petition submitting said ordinance to the council shall be signed by twenty-five per cent of the number of qualified voters who voted for mayor at the last preceding city election, or shall so request, then the council shall within 120 days of the filing of said petition, in case the council fail to pass said ordinance as aforesaid call a special election at which said ordinance shall be submitted to the voters of the City of St. Paul for approval or rejection. But no special election shall be called when any general or special city or state election occurs within one year subsequent to the filing of said petition.

Referendum.

Sec. 137. No ordinance passed by the council shall go into effect until the expiration of thirty days after it has been passed, approved and published unless it shall be necessary for the preservation of the public peace, health or safety, and the council shall by a three-fourths vote of all the members elected declare that it shall go into effect immediately upon its publication. The necessity for such action shall be stated in the title and in a section of such ordinance. If within thirty days after the passing, approval and publication of any ordinance, a number of the qualified electors of the City of St. Paul, equal to eight per cent of all the electors who voted at the last City election for mayor, shall file a petition with the City Clerk addressed to the city council asking that said ordinance shall be submitted to the voters of said city for approval or rejection, it shall be so submitted as hereinafter provided, and shall not go into effect (except in cases of emergency as herein provided) until approved by a majority of all the electors voting thereon at a general or special city election within the City of St. Paul. Should a majority of said electors vote against the approval of said ordinance it shall not go into effect, but shall be void and of no effect. If by action of the council as aforesaid any ordinance shall be declared necessary for the preservation of the public peace, health or safety, and it shall be provided that it shall go into effect immediately upon publication thereof, and if with-

out, it shall be void and of no effect from and after the announcement of said vote. Where two or more conflicting ordinances receive a majority vote shall be in force and effect as to conflicting provisions.

Terms Defined.—Sec. 145. For the purposes of this chapter the term "ordinance" shall embrace all legislative acts of the council, whether they be the passing of new measures or the amendment or repeal of measures theretofore in force.

Duties of the Corporation Attorney.—Sec. 146. On request of the city clerk the corporation attorney shall prepare forthwith or cause to be prepared summaries or syllabi of all ordinances or resolutions where summaries are required in carrying out the provisions of this chapter.

Enacting Clause.—Sec. 147. The enacting clause of all ordinances initiated under the provisions of this chapter shall be: "The people of the City of St. Paul do ordain."

Items Voted Upon Separably.—Sec. 148. Any item or section or items or sections of an ordinance which may be separated without destroying said resolution as a whole, may be made the subject of a referendum the same as an entire ordinance, and may on adverse vote be disapproved or repealed as may an entire ordinance.

CHAPTER X. FRANCHISES AND MODIFICATIONS THEREOF.

No Exclusive Franchise.—Sec. 149. No exclusive or irrevocable franchise, nor any franchise for a period of more than twenty years, shall ever be granted by the City of St. Paul.

Referendum Thereon.

Sec. 150. No franchise shall be granted by the City of St. Paul except by ordinance of the council approved at a general or special election by an affirmative majority of the qualified electors of said city voting thereon. The council may by ordinance passed by an affirmative vote of four-sevenths of all the members elect grant a temporary license to use the streets and other public places of said city for public service purposes for a period not exceeding one year. Any license or franchise which may hereafter be granted by the City of St. Paul is hereby declared to be subject to all provisions of this charter and all amendments thereto which may be hereafter adopted, and to all laws and ordinances in force within the limits of the City of St. Paul. Nothing in this section shall be so construed as to relieve the holder of any franchise from any restriction which may be in force at the time of the adoption of this charter. When the total income of any such license or franchise holder named in this section, his lessee or assign, from business within the City of St. Paul, for which such license or franchise was granted, shall not exceed the sum of ten thousand dollars for any one calendar year, then said temporary lessee may by a five-sevenths affirmative vote of all the members elect of the council be renewed indefinitely for one year from year to year in the discretion of the council, but where such total income exceeds in any one year the sum of ten thousand dollars, said council shall have power to give but two renewals, so that the entire term of such temporary licenses in such cases shall not exceed three years.

Time for Renewal.

Sec. 151. No franchise granted by the City of St. Paul shall be renewed or enlarged until within one year before its expiration. Any amendment to a franchise amounting to an enlargement or extending of privileges or hereafter granted, shall be construed as the granting of a new franchise.

Franchise No Part of Capital.

Sec. 152. No person or corporation granted a franchise by the City of St.

be liable for the sum of one for each day covered in a default of franchise shall proceedings be granted the same as

Grantee's A.

Sec. 153. No franchise shall be granted by the City of St. Paul which shall be subject to all laws and ordinances in force within the limits of the City of St. Paul. Nothing in this section shall be so construed as to relieve the holder of any franchise from any restriction which may be in force at the time of the adoption of this charter. When the total income of any such license or franchise holder named in this section, his lessee or assign, from business within the City of St. Paul, for which such license or franchise was granted, shall not exceed the sum of ten thousand dollars for any one calendar year, then said temporary lessee may by a five-sevenths affirmative vote of all the members elect of the council be renewed indefinitely for one year from year to year in the discretion of the council, but where such total income exceeds in any one year the sum of ten thousand dollars, said council shall have power to give but two renewals, so that the entire term of such temporary licenses in such cases shall not exceed three years.

Sec. 154.

Sec. 154. No franchise shall be granted by the City of St. Paul which shall be subject to all laws and ordinances in force within the limits of the City of St. Paul. Nothing in this section shall be so construed as to relieve the holder of any franchise from any restriction which may be in force at the time of the adoption of this charter. When the total income of any such license or franchise holder named in this section, his lessee or assign, from business within the City of St. Paul, for which such license or franchise was granted, shall not exceed the sum of ten thousand dollars for any one calendar year, then said temporary lessee may by a five-sevenths affirmative vote of all the members elect of the council be renewed indefinitely for one year from year to year in the discretion of the council, but where such total income exceeds in any one year the sum of ten thousand dollars, said council shall have power to give but two renewals, so that the entire term of such temporary licenses in such cases shall not exceed three years.

Sec. 155.

Sec. 155. No franchise shall be granted by the City of St. Paul which shall be subject to all laws and ordinances in force within the limits of the City of St. Paul. Nothing in this section shall be so construed as to relieve the holder of any franchise from any restriction which may be in force at the time of the adoption of this charter. When the total income of any such license or franchise holder named in this section, his lessee or assign, from business within the City of St. Paul, for which such license or franchise was granted, shall not exceed the sum of ten thousand dollars for any one calendar year, then said temporary lessee may by a five-sevenths affirmative vote of all the members elect of the council be renewed indefinitely for one year from year to year in the discretion of the council, but where such total income exceeds in any one year the sum of ten thousand dollars, said council shall have power to give but two renewals, so that the entire term of such temporary licenses in such cases shall not exceed three years.

Sec. 156.

Sec. 156. No franchise shall be granted by the City of St. Paul which shall be subject to all laws and ordinances in force within the limits of the City of St. Paul. Nothing in this section shall be so construed as to relieve the holder of any franchise from any restriction which may be in force at the time of the adoption of this charter. When the total income of any such license or franchise holder named in this section, his lessee or assign, from business within the City of St. Paul, for which such license or franchise was granted, shall not exceed the sum of ten thousand dollars for any one calendar year, then said temporary lessee may by a five-sevenths affirmative vote of all the members elect of the council be renewed indefinitely for one year from year to year in the discretion of the council, but where such total income exceeds in any one year the sum of ten thousand dollars, said council shall have power to give but two renewals, so that the entire term of such temporary licenses in such cases shall not exceed three years.

Sec. 157.

Sec. 157. No franchise shall be granted by the City of St. Paul which shall be subject to all laws and ordinances in force within the limits of the City of St. Paul. Nothing in this section shall be so construed as to relieve the holder of any franchise from any restriction which may be in force at the time of the adoption of this charter. When the total income of any such license or franchise holder named in this section, his lessee or assign, from business within the City of St. Paul, for which such license or franchise was granted, shall not exceed the sum of ten thousand dollars for any one calendar year, then said temporary lessee may by a five-sevenths affirmative vote of all the members elect of the council be renewed indefinitely for one year from year to year in the discretion of the council, but where such total income exceeds in any one year the sum of ten thousand dollars, said council shall have power to give but two renewals, so that the entire term of such temporary licenses in such cases shall not exceed three years.

Sec. 158.

Sec. 158. No franchise shall be granted by the City of St. Paul which shall be subject to all laws and ordinances in force within the limits of the City of St. Paul. Nothing in this section shall be so construed as to relieve the holder of any franchise from any restriction which may be in force at the time of the adoption of this charter. When the total income of any such license or franchise holder named in this section, his lessee or assign, from business within the City of St. Paul, for which such license or franchise was granted, shall not exceed the sum of ten thousand dollars for any one calendar year, then said temporary lessee may by a five-sevenths affirmative vote of all the members elect of the council be renewed indefinitely for one year from year to year in the discretion of the council, but where such total income exceeds in any one year the sum of ten thousand dollars, said council shall have power to give but two renewals, so that the entire term of such temporary licenses in such cases shall not exceed three years.

of the test... any and... of the... after... by resolution... (A/7) affairs... members elect de... grounds, streets, al... county, territorial... Before the... effect such resolu... as in the case... thereupon a tran... of said... by the City... is valid, be... recorded in the... of Deeds in the... No vacation of any... grounds in said... be allowed except... and conditions as... if any, to be paid... such vacation... be specified in the... such vacation, nor... any vacation... compensation to said...

the Plat Commis... approved the plat... proposed to be... dedicated to the... of said coun... area and value... to be vacated, then... by a four-sevenths... vote of all the mem... said plat and pass a... and after said... solution have been re... register's office, said va... without the pay... into the said city treas... further, however, that... continuances of such... and state roads may... in a petition of a ma... owners of property... the same or the portions... to be vacated exist... have platted the... have provided in lieu... sufficient streets in the... Commissioner of Public... council, of which fact... said Commissioner and... of said plat and the... vacation shall, when re... sive evidence.

of Levee. The council are hereby... ordinance to lease to any... or corporation any... of the levee known as... Levee in the Sixth (6th)... City of St. Paul, Minn... same is designated, and... maps on file in the... Commissioner of Public Works... St. Paul, the said leases... purposes and upon such... such a length of time... shall prescribe; pro... that such leases not be... term than five years.

House Authorized. The Council of the City of... hereby authorized and em... establish, erect and main... house for the confinement... of prisoners sentenced... Municipal Court of the... of the District Court... Judicial District of Ram... (S. L. 1881, Chapter 190...

Nuisances. The powers conferred upon... to provide for the abate... removal of nuisances shall... under suits, prosecutions or... in the courts according to...

Concurrent Restrictions. The council shall have no... OR SALARIED OFFICERS... new or salaried office not... this charter or in any man... the salary or compensa... officer whose salary is fixed... ter, or to employ any... by said city might be li... services rendered or at... be rendered in performing... imposed by law upon any... of said city; but notth... shall prevent said cit... ders from employing suc... on day to day and from... month as are authorized by...

Ballots. Sec. 142. The ballots used in voting... upon any measure as provided for in... this chapter shall set forth in full... the title thereof and state briefly... the general nature thereof, and therea... in larger type contain the words, "For... the ordinance" (or "resolution as the... case may be) and "Against the ordi... name" (or resolution as the case may... and shall contain a square opposite... each of the aforesaid phrases in quo... tations so that the elector by a mark... in the square may indicate whether... he is for or against the ordinance.

Number submitted. Sec. 143. Any number of ordinances... be submitted at the same elec... tion. Vote necessary. Sec. 144. Any ordinance receiving... an affirmative vote in its favor of a... majority of all the electors voting... thereon shall be declared passed and... thereon shall be declared passed and...

Referendum Petition. Sec. 138. Any petition demanding a... reference of any ordinance, shall re... fer to such ordinance by the number... thereof, its title, the date of its ap... proval, and the date of its publication... and shall also briefly state the subject... matter of said ordinance, and it... may give the reasons for demand... ing such reference. It shall be... addressed to the council and shall con... form so far as practicable to the re... quirements specified for recall petitions... in the sections of this charter providing... for recall.

Shall be Published. Sec. 139. The council shall provide... for the publication in full at least once... in at least three daily papers published... within the City of St. Paul of the full... text of any ordinance submitted under... this chapter to the voters of the city... for approval or rejection. Such publi... cation shall take place not less than... ten days or more than fifteen days be... fore the date of said election. When... any such ordinance is to be so sub... mitted at any special or general elec... tion, the notices of said election shall... so state and shall designate said ordi... nances by number and title, and shall... set forth syllabi of said ordinances pre... pared by the corporation counsel of... St. Paul.

Budget Ordinance. Sec. 140. The budget ordinance of... the ordinance providing annually for... the support of the government of the... City of St. Paul shall go into effect... immediately upon publication. Said... ordinance shall not be submitted to the... voters of St. Paul for approval or re... jection on petition or otherwise, pro... vided that any item in said budget... making appropriation for new outlay... shall be subject to referendum in the... same manner as though it were not... part of said budget ordinances.

Paul shall base any capitalization or... collect any profits upon the value of... said franchise, it being the intent of... this charter to restrict all franchise... holders of the City of St. Paul to a... reasonable return upon the tangible... property of said franchise-holder in use... within the City of St. Paul. It is here... by declared that all franchises grant... ed by the City of St. Paul are grant... ed for the sole purpose of providing... the people of St. Paul with needed public... services, and that the value of said... franchise and all benefits to be de... rived therefrom shall remain forever... inalienably the property of said city... in trust for said people. No charges... or profits of any public service cor... poration doing business in the City of... St. Paul shall be founded upon un... earned increment of land. All fran... chises granted by the City of St. Paul... shall define clearly and fully the spe... cific rights granted, and the specific... streets, alleys and others places in... which said franchises shall be exer... cised, and no grant made in general... terms shall be valid, and no privilege... shall be granted by implication.

Publication, Franchise Ordinances. Sec. 153. All proposed ordinances... for the granting of franchises shall... be published in full at least once in... the official publication of the city a... week before its first reading in the... council. No proposed ordinance grant... ing a franchise shall be placed upon its... final passage within thirty days after... it has been put into the form in which... it shall be passed and adopted.

Fixing Charges—Gross Earnings State... ment. Sec. 154. In the granting of any... and all franchises the City of St. Paul... hereby reserves the right, either... through the Council, or otherwise as... provided by law, to regulate the rates... to be collected for the service to be... rendered under said franchise. If it... be found by the Council impracticable... or undesirable to prescribe such rates... as will prevent franchise-holders from... securing any benefit from the value of... said franchise, then said city through... its Council, or otherwise, may impose... such tax upon gross earnings as may... secure for said city the full benefit... of the value of said franchise. The City... of St. Paul is hereby granted the right... to fix rates for all public services... within the city.

Voluntary Reference. Sec. 140 1/2. The council may by a... majority vote submit to the voters of... St. Paul any ordinance without peti... tion in the same manner as said ordi... nance might have been submitted on... petition.

Repeat of Ordinance Approved By Vot... ers. Sec. 141. No ordinance adopted by... the voters of St. Paul on their initia... tive or approved by said voters on... referendum shall be repealed by the... council within one year after its ap... proval nor shall it be repealed at all... except upon the unanimous vote of all... the members elected to the council and... with the approval of the majority vote... of all the electors voting thereon at a... referendum election at which the repeal... of said ordinance is submitted under the... provisions of this chapter.

Sec. 142. The ballots used in voting... upon any measure as provided for in... this chapter shall set forth in full... the title thereof and state briefly... the general nature thereof, and therea... in larger type contain the words, "For... the ordinance" (or "resolution as the... case may be) and "Against the ordi... name" (or resolution as the case may... and shall contain a square opposite... each of the aforesaid phrases in quo... tations so that the elector by a mark... in the square may indicate whether... he is for or against the ordinance.

Number submitted. Sec. 143. Any number of ordinances... be submitted at the same elec... tion. Vote necessary. Sec. 144. Any ordinance receiving... an affirmative vote in its favor of a... majority of all the electors voting... thereon shall be declared passed and... thereon shall be declared passed and...

Referendum Petition. Sec. 138. Any petition demanding a... reference of any ordinance, shall re... fer to such ordinance by the number... thereof, its title, the date of its ap... proval, and the date of its publication... and shall also briefly state the subject... matter of said ordinance, and it... may give the reasons for demand... ing such reference. It shall be... addressed to the council and shall con... form so far as practicable to the re... quirements specified for recall petitions... in the sections of this charter providing... for recall.

Shall be Published. Sec. 139. The council shall provide... for the publication in full at least once... in at least three daily papers published... within the City of St. Paul of the full... text of any ordinance submitted under... this chapter to the voters of the city... for approval or rejection. Such publi... cation shall take place not less than... ten days or more than fifteen days be... fore the date of said election. When... any such ordinance is to be so sub... mitted at any special or general elec... tion, the notices of said election shall... so state and shall designate said ordi... nances by number and title, and shall... set forth syllabi of said ordinances pre... pared by the corporation counsel of... St. Paul.

Budget Ordinance. Sec. 140. The budget ordinance of... the ordinance providing annually for... the support of the government of the... City of St. Paul shall go into effect... immediately upon publication. Said... ordinance shall not be submitted to the... voters of St. Paul for approval or re... jection on petition or otherwise, pro... vided that any item in said budget... making appropriation for new outlay... shall be subject to referendum in the... same manner as though it were not... part of said budget ordinances.

Paul shall base any capitalization or... collect any profits upon the value of... said franchise, it being the intent of... this charter to restrict all franchise... holders of the City of St. Paul to a... reasonable return upon the tangible... property of said franchise-holder in use... within the City of St. Paul. It is here... by declared that all franchises grant... ed by the City of St. Paul are grant... ed for the sole purpose of providing... the people of St. Paul with needed public... services, and that the value of said... franchise and all benefits to be de... rived therefrom shall remain forever... inalienably the property of said city... in trust for said people. No charges... or profits of any public service cor... poration doing business in the City of... St. Paul shall be founded upon un... earned increment of land. All fran... chises granted by the City of St. Paul... shall define clearly and fully the spe... cific rights granted, and the specific... streets, alleys and others places in... which said franchises shall be exer... cised, and no grant made in general... terms shall be valid, and no privilege... shall be granted by implication.

same shall sprinkle, clean, keep in... repair and free from snow, and pave... and re-pave so much of the streets or... other public places herein mentioned... which may be occupied by such street... railways, as lie between the rails of... each railway track, and between the... lines of double track, and for a space... of two feet outside of such track.

Additional Restrictions. Sec. 162. Said City of St. Paul shall... have the power through the Council or... other proper manner, to impose other... terms, conditions and restrictions addi... tional to those prescribed by this char... ter, upon the grant of any such right... privilege or franchise aforesaid, in... cluding suitable provisions that the... whole or any part of the property used... in the exercise or enjoyment of any... right, privilege, or franchise, shall... upon the expiration thereof, become the... property of said city with or without... further compensation.

Abandonment of Franchises. Sec. 163. All rights, privileges, and... franchises heretofore granted by any... lawful authority in, over, under or up... on any of the streets, highways, alleys... public grounds or other property of... said city, which have never been exer... cised, or which have been abandoned... or have been disused for more than... three years before the time when this... charter becomes effective, are hereby... declared to be forfeited and invalid. Nothing in this paragraph shall be... construed as restoring any rights forfeit... ed under any former law, ordina... nance or charter.

Cost of Bridges. Sec. 164. All franchises for street... or interurban railways hereafter granted... shall provide that any such railroad... shall pay to the city a sum not less... than five per cent per annum so long... as such franchise shall exist or be... used on one-third of the cost of any city... bridge over which such franchise shall... extend. In the event any application... is made for a franchise over a bridge... not yet built or completed, the Coun... cil shall cause an estimate to be made... of the true cost of such bridge, and... such estimate, corrected by actual fig... ures of cost when the same is available... shall be the basis of computation for... fixing the amount to be paid for the... franchise over said bridge.

Carrying of Firemen, Etc. Sec. 165. Every street railway fran... chise shall contain a provision that... policemen, firemen, city health officers... and United States mail carriers, when... in uniform and in the discharge of... their duties as such, shall be carried... free and with all the rights of passen... gers.

Poles—Erection Of. Sec. 166. All franchises granted to... any person or corporation for the erec... tion of poles or masts on or along the... streets or other public places of the... city for the conduct of electricity or... for telegraph or telephone purposes... shall contain a condition and stipula... tion that the upper arm of all such... poles or masts, now erected or to be... erected under any existing franchise... in the city, shall be reserved for the... exclusive use of the city; and that any... franchise granting the right to con... struct conduits in or under such places... for said purposes, or any other purpose... shall contain a provision that a reason... able portion, to be definitely stated in... the ordinance granting the franchise... shall be reserved for the exclusive use... of the city.

Regulations of Service. Sec. 167. The grant of every fran... chise shall be made especially subject... to the condition that the Council shall... have the right with respect to any such... franchise so granted: (1) To require the elevation or de... pression of the tracks of a railway or... street railway, or the placing under... ground of wires, whenever such action... is deemed by said Council necessary in... the interest of public safety or con... trol of the imp...

Public Service System. Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

Sec. 168. The powers heretofore... conferred upon the Council by this char... ter to make such rules and regula... tions as may be required to secure ade... quate and proper service, and to pro... vide sufficient accommodations for the... public, shall be deemed to include the... power to require reasonable extensions... of any public service system.

except as provided in this charter. **DAMAGES FOR INJURIES**—Authorized the compromise or payment of any damages claimed for alleged injuries to persons or property except by ordinance adopted by a majority of the members-elect thereof.

4. The Council Cannot Relieve or Exempt—Relieve any person or corporation from the payment of any lawful tax, assessment, fine or license, or from any burden imposed by law or order; nor shall it cause to be paid any demand not lawfully authorized and duly audited.

CHAPTER IX. INITIATIVE AND REFERENDUM. Initiative.

Sec. 134. Any ordinance may be proposed by petition by the qualified electors of the City of St. Paul, equal in numbers to ten per cent of the electors who voted for mayor at the last preceding city election.

Petition.

Sec. 135. Such petition shall completely set out in exact language the terms of such proposed ordinance. It shall be addressed to the council and shall be presented to and filed by the city clerk. In all other respects said petition shall conform so far as practicable, to the requirements for recall petitions as set forth in the sections of this charter relating to the recall.

If Council Fails to Pass.

Sec. 136. Should the council fail to pass without change within sixty days of its presentation by petition as aforesaid, any ordinance, said ordinance shall be submitted by the city clerk at the next election in the City of St. Paul, whether general or special, city or state, to the qualified electors of said city for approval or rejection as hereinafter provided, provided that said election must take place not less than ninety days after said petition was originally presented to said council. If the petition submitting said ordinance to the council shall be signed by twenty-five per cent of the number of qualified voters who voted for mayor or at the last preceding city election, and shall so request, then the council shall within 120 days of the filing of said petition, in case the council fails to pass said ordinance as aforesaid, call a special election at which said ordinance shall be submitted to the voters of the City of St. Paul for approval or rejection. But no special election shall be called when any general or special city or state election occurs within one year subsequent to the filing of said petition.

Referendum.

Sec. 137. No ordinance passed by the council shall go into effect until the expiration of thirty days after it has been passed, approved and published, unless it shall be necessary for the preservation of the public peace, health or safety, and the council shall by a three-fourths vote of all the members elected declare that it shall go into effect immediately upon its publication. The necessity for such action shall be stated in the title and in a section of such ordinance. If within thirty days after the passing, approval and publication of any ordinance, a number of the qualified electors of the City of St. Paul, equal to eight per cent of all the electors who voted at the last City election for mayor, shall file a petition with the City Clerk addressed to the city council asking that said ordinance shall be submitted to the voters of said city for approval or rejection, it shall be so submitted as hereinafter provided, and shall not go into effect (except in cases of emergency as herein provided) until approved by a majority of all the electors voting thereon at a general or special city election within the City of St. Paul. Should a majority of said electors vote against the approval of said ordinance, it shall not go into effect, but shall be void and of no effect. If by action of the council as aforesaid any ordinance shall be declared necessary for the preservation of the public peace, health or safety, and it shall be provided that it shall go into effect immediately upon publication thereof, and if with-

out, it shall be void and of no effect from and after the announcement of said vote. Where two or more conflicting ordinances receive a majority vote shall be in force and effect as to conflicting provisions.

Terms Defined.

Sec. 145. For the purposes of this chapter the term "ordinance" shall embrace all legislative acts of the council, whether they be the passing of new measures or the amendment or repeal of measures theretofore in force.

Duties of the Corporation Attorney.
Sec. 146. On request of the city clerk the corporation attorney shall prepare forthwith or cause to be prepared summaries, or syllabi of all ordinances or resolutions where summaries are required in carrying out the provisions of this chapter.

Enacting Clause.

Sec. 147. The enacting clause of all ordinances initiated under the provisions of this chapter shall be: "The people of the City of St. Paul do ordain."

Items Voted Upon Separably.

Sec. 148. Any item or section or items or sections of an ordinance which may be separated without destroying said resolution as a whole, may be made the subject of a referendum the same as an entire ordinance, and may on adverse vote be disapproved or repealed as may an entire ordinance.

CHAPTER X. FRANCHISES AND MODIFICATIONS THEREOF.

No Exclusive Franchise.

Sec. 149. No exclusive or irrevocable franchise, nor any franchise for a period of more than twenty years, shall ever be granted by the City of St. Paul.

Referendum Thereon.

Sec. 150. No franchise shall be granted by the City of St. Paul except by ordinance of the council approved at a general or special election by an affirmative majority of the qualified electors of said city voting thereon. The council may by ordinance passed by an affirmative vote of four-sevenths of all the members elect grant a temporary license to use the streets and other public places of said city for public service purposes for a period not exceeding one year. Any license or franchise which may hereafter be granted by the City of St. Paul is hereby declared to be subject to all provisions of this charter and all amendments thereto which may be hereafter adopted, and to all laws and ordinances in force within the limits of the City of St. Paul. Nothing in this section shall be so construed as to relieve the holder of any franchise from any restriction which may be in force at the time of the adoption of this charter. When the total income of any such license or franchise holder named in this section, his lessee or assign, from business within the City of St. Paul, for which such license or franchise was granted, shall not exceed the sum of ten thousand dollars for any one calendar year, then said temporary lessee may by a five-sevenths affirmative vote of all the members elect of the council be renewed indefinitely for one year from year to year in the discretion of the council, but where such total income exceeds in any one year the sum of ten thousand dollars, said council shall have power to give but two renewals, so that the entire term of such temporary licenses in such cases shall not exceed three years.

Time for Renewal.

Sec. 151. No franchise granted by the City of St. Paul shall be renewed or enlarged until within one year before its expiration. Any amendment to a franchise amounting to an enlargement or extending of privileges held under any franchise now in force, or hereafter granted, shall be construed as the granting of a new franchise.

Franchise No Part of Capital.

Sec. 152. No person or corporation granted a franchise by the City of St.

Paul shall be liable to the City of St. Paul the sum of one hundred (\$100) dollars for each day of such failure, to be recovered in a civil action in any court of competent jurisdiction, and in case of default for sixty days any such franchise shall without further proceedings become forfeited, and all rights granted by the ordinance granting the same shall cease and terminate.

Gross Earnings.

Sec. 155. Every corporation or person exercising any franchise or privilege, in, over, under, or upon any of the streets or public places or elsewhere in the City of St. Paul, shall pay into the treasury of said city annually on or before the first Monday in March, a license fee in a sum equal to at least five per cent of the gross earnings derived or accruing from the exercise or enjoyment within said city of any franchise or privilege during the previous calendar year. This section shall apply to all franchises granted prior to the adoption of this charter and to all other franchises unless the ordinance granting said franchises shall exempt the grantees and others holding through or under them from said tax.

Grantee's Agreement.

Sec. 156. No extension, modification or change of any franchise or privilege heretofore granted, or of any condition or limitation affecting such franchise or privilege, shall be valid or effectual unless the person or corporation holding such franchise or privilege shall, in writing, agree that such franchise or privilege together with any such extension, modification or change shall be held and used subject to all the conditions and limitations in this charter prescribed, including the payment of a license fee of at least five per cent of the gross earnings, unless said franchise-holder is specifically relieved of said payment as herein above provided.

Grantee's Acceptance of Charter Provisions.

Sec. 157. No franchise or privilege shall be granted to any person or corporation now holding, or hereafter acquiring any franchise or privilege heretofore or hereafter, granted by said city, unless such person or corporation shall in writing agree that said franchise or privilege so held or acquired, as well as said new franchise or privilege, shall both be held and exercised subject to all the conditions and limitations in this charter prescribed, including the payment of said license fee of at least five per cent of the gross earnings, unless excused as above provided.

Forfeitures.

Sec. 158. Every ordinance granting any franchise or privilege as aforesaid shall provide for the termination and forfeiture of said franchise or privilege aforesaid for any breach or failure to comply with any of the terms, limitations or conditions thereof; and in all such cases the Council shall have power to declare the termination and forfeiture of any such franchise or privilege the same as though in each instance such power was expressly reserved.

Limitations.

Sec. 159. No person or corporation shall occupy or have any special rights or privileges, in, over, upon or under any street, highway, alley, public ground, levee, or other property of said city unless said right is duly granted in the manner hereinabove provided.

Elevated Roads.

Sec. 160. No franchise shall be granted to construct or operate any steam, or elevated railway of any description, or on any street, public grounds or levees of said city except upon petition of the owners of more than one-half the property fronting on the line of such proposed road.

Street Maintenance Duties.

Sec. 161. Every grant of any right, privilege or franchise, in, over, under or upon any of the streets, alleys or public grounds of said city for street railway purposes, shall be subject to the conditions that the person or corporation exercising or enjoying the

franchise shall not be deemed to confer any right to include in the charge for any service any return upon the value of the franchise or grant.

Condemnation Provisions.

Sec. 170. All franchises granted by the City of St. Paul, shall be granted subject to the condition that the grantee shall have no right to receive upon a condemnation proceeding brought by the city to acquire for the city the public utility using such franchise, any return on account of the franchise or its value or any return for good will, or for any other thing whatsoever except the tangible property used in connection with the service for which the franchise was granted. Franchise values shall not be capitalized by any franchise grantee or any successor of such grantee, and the measure of value of the real estate used for said service shall be its value when first used in said service.

Loans on Franchises.

Sec. 171. No loan made to a grantee of a franchise received from the City of St. Paul, or to the successor of such grantee, shall be a lien upon said franchise. If any loan be a lien upon the property used in the public service given in connection with said franchise, then it shall not be made for a term of years in excess of the term of the franchise, and said entire loan shall fall due before the expiration of the term of said franchise. Said grantee and the successors of said grantee shall provide that said loan shall be paid and wholly liquidated during the term of said franchise, so that at the expiration of said term, all of the property used in connection with said franchise shall be entirely free from all liens and obligations whatsoever.

Sale of Franchise.

Sec. 172. No sale or lease for any franchise granted by the City of St. Paul shall be effective until approved by the Council by five-sevenths affirmative vote of all members-elect. The assignee, or lessee shall prior to such approval file in the office of the City Clerk an instrument duly executed, reciting the fact of the sale or lease, accepting the terms of the franchise affected, and agreeing to perform all the conditions required of the grantee thereunder. The assignee or lessee shall also file a bond with such conditions as the Council may require with securities satisfactory to the Council, which shall run to the city and which shall be conditioned to discharge the obligations and liabilities imposed upon the grantee by the franchise. Thereafter the Council shall consider and may approve or forbid such sale as the interests of the City of St. Paul may demand.

Relative Rights of Franchise.

Sec. 173. Every franchise shall provide that the franchise and all things constructed thereunder or used in connection therewith, other than rolling stock and power, shall be subject to common use by any other grantee or assignee of any other franchise, whenever there shall be necessity therefor upon payment or tender of compensation for such use. The question of necessity, compensation and all other questions relating thereto shall be judicial questions, but no judicial proceeding shall suspend or postpone such use if the person or corporation desiring such use shall deposit in the Court such sum as the Court in a preliminary hearing may determine.

Objections to Regulations.

Sec. 174. Any holder of a franchise granted by the City of St. Paul who shall question any order, ordinance, or provision prescribing conditions or regulations in connection with the enjoyment of such franchise, must raise such question or issue in a proceeding in court within sixty days of the time such order, ordinance, provision or regulation goes into effect.

Powers of Council Not Specified.

Sec. 175. The enumeration and specification of particular conditions or restrictions upon the granting of franchises by the City of St. Paul, and their

But any person or persons who shall cause by virtue of the provisions of the charter of said city, to be committed such person or persons to the "workhouse."

Appeals by City.

Sec. 181. The city may prosecute an appeal in all cases to the District Court, or to the Supreme Court of the State. The Mayor, in case of such appeals, or in any action or proceeding to which the city is a party, and in which a bond may be necessary, shall execute a bond, signed by him and the City Clerk, who shall affix the corporate seal thereto, conditioned as may be necessary in such action, proceeding or appeal, but no sureties or justification shall be required for said bond. Nor shall the city be required in any case to file a bond or give other security for costs.

Not Incompetent.

Sec. 182. No person shall be an incompetent judge, justice, witness or juror, by reason of his being an inhabitant of said city, in any proceeding or action in which the city shall be a party in interest.

Process in Suits Against City.

Sec. 183. Whenever any suit, action or proceeding shall be brought against the City of St. Paul, the summons or process shall be served on the Mayor, and it shall be the duty of the Mayor to forthwith inform the Corporation Counsel thereof, who shall take such other proceedings as may be needful to defend the interests of the city, provided that the court in which any complaint may be filed, or any judge thereof, may, in his discretion, direct such other or further notice of the pendency of such action, to be given by publication or otherwise, as to the court or any judge thereof may seem meet and proper.

Notice of Damage Claims.

Sec. 184. Before the City of St. Paul shall be liable to any person for damages for, or on account of any injury or loss alleged to have been received or suffered by reason of any defect in any bridge, street, road, sidewalk, park, public ground, ferry boat, or public works of any kind in said city, or by reason of any alleged negligence of any officer, agent, servant or employe of said city, the person so alleged to be injured, or some one in his behalf, shall give to the Council of said city, within thirty days after the alleged injury, notice thereof; and shall present his or their claims to compensation to the Council in writing, stating the time when, the place where and the circumstances under which such alleged loss or injury occurred, and the amount of compensation or the nature of the relief demanded from the city, and such body shall have ten days' time within which to decide upon the course it will pursue with relation to such claim; and no action shall be maintained until the expiration of such time on account of such claim nor unless the same shall be commenced within one year after the happening of such alleged injury or loss.

Records, Printed Compilations, Etc., as Evidence.

Sec. 185. Section twenty-two (22) of sub-chapter twelve (12) of chapter one (1) of the Special Laws of the State of Minnesota for the year 1874, in the following words shall remain in full force, to-wit: "The files, papers and records in the office of the City Clerk, City Engineer, Commissioner of Public Works, or any other officer of said city, or copies thereof duly certified by the officer having the same in charge, proofs of publication of all notices, resolutions, orders or proceedings of the Common Council or Commissioner of Public Works, required to be published under this act, on file in the proper office, or having the same in charge, shall be received and read in evidence in all courts and places without further proof. All printed compilations of the laws and ordinances of the city, and

Before any bank by the Commissioner of Finance said banks shall execute to the City of St. Paul proper bonds fully securing the City of St. Paul in double the amount of the deposit authorized by the Sinking Fund Committee. The Council shall, by ordinance, provide in detail as to the form, amount and the sufficiency of securities upon said bonds, provided that the security shall be all times ample and provided that the bonds are conditioned for the repayment to the city by any and all depositories on demand of any and all moneys deposited in said depositories by the Commissioner of Finance or any other officer of the city as such. Said bonds shall be always subject to the approval of the Sinking Fund Committee and of the Council. No stockholder in a bank shall be accepted as surety upon the depository bonds of said banks unless investigation has shown that his financial responsibility could not be seriously affected by the failure of said bank. All said bonds shall run for one year; and shall be renewed whenever required by the Sinking Fund Committee. Said committee may demand new or additional bonds whenever it may see fit.

Sec. 189. On default by any such bond in the condition of any bond required in the preceding section, it shall be the duty of the Comptroller and of the Commissioner of Finance, forthwith to notify the Corporation Counsel and Mayor, and said Corporation Counsel shall at once take steps to enforce liability upon said bond and save the City of St. Paul harmless from loss or expense. No bond given by any city depository under the provisions of the preceding section shall lapse no matter what the limitation may be contained therein, until it is superseded by a good and sufficient bond to take its place.

May Deposit Securities.

Sec. 190. In lieu of the bonds from city depositories provided for in this chapter, said depositories are hereby authorized to deposit in the office of the Comptroller, with such assignments or powers of attorney as may make them available at any time said Sinking Fund Committee may wish to realize upon them for the protection of the city, as security for city funds to be deposited bonds or tax levy certificates of the City of St. Paul, of face value twenty per cent in excess of the maximum amount of city funds to be placed in said depositories. Until said bonds are converted to the use and for the benefit of the city to meet the failure to turn over on demand any deposit of city funds which they may have been pledged to secure, they shall continue to bear interest for the bank pledging them, just as though they had remained in the custody of said bank. The Corporation Counsel shall prepare and the Council shall pass an ordinance giving full effect to the provisions of this section.

Withdrawal of Deposits.

Sec. 191. Said committee, shall, whenever in its judgment, the greater security of the city's money requires it, direct the Commissioner of Finance to withdraw money from any city depository bank and deposit it in another bank, subject to the limitations aforesaid, and the Commissioner of Finance shall comply at once with all directions and instructions of the committee given in pursuance hereof. Whenever the Commissioner of Finance shall make a deposit in any one of such banks the latter shall forthwith transmit to the Comptroller a duplicate deposit slip thereof, signed by an officer of the bank and one of its tellers; and the Commissioner of Finance shall forthwith deliver to the Comptroller an itemized statement of the sources from which the moneys so deposited were received; and it shall be the duty of the Comptroller so to keep the accounts of his office as to show the amount belonging to each fund on deposit, and the bank or banks holding the money of the city or any department, bureau or activity thereof.

Sec. 192. That it is hereby made the duty of the Treasurer of the City of St. Paul, in the collection of moneys, to keep a set of books so as to show at all times the exact amount of moneys received for the City of St. Paul, and for the Board of Education of the City of St. Paul, and that all taxes received by said County Treasurer for the City of St. Paul, and for the Board of Education of the City of St. Paul, shall be distributed as collected on the books of said County Treasurer to the credit of said City of St. Paul, and the Board of Education of the City of St. Paul, and fifty (50) per cent of the penalties received by the County Treasurer for delinquent taxes shall belong to and shall be paid to the Treasurer of the City of St. Paul, for the use of said city, by said County Treasurer, and the said County Treasurer shall, on the first day of each and every month, or as soon thereafter as the same may be demanded, pay over to the City Treasurer of the City of St. Paul all moneys and penalties collected the previous month for said city, as well as all moneys collected for the Board of Education of said city, as shown by the County Treasurer's books or books.

"And it is hereby made the duty of the County Auditor on the first week day of each and every month, or as soon thereafter as the same may be demanded, to draw his warrant upon the County Treasurer in favor of the City Treasurer for all moneys in the County Treasury belonging to the City of St. Paul, and the Board of Education of the City of St. Paul, as near as the same can be ascertained from the books of the County Treasurer."

Sec. 199. Said section twelve (12), as set forth herein above shall remain in full force and effect, provided that the words "City Treasurer," or "Treasurer of the City of St. Paul," or "City Treasurer of the City of St. Paul," wherever these or any of them shall appear, shall mean Commissioner of Finance of the City of St. Paul, and the funds directed to be paid for the benefit of the Board of Education of the City of St. Paul shall be paid to said city for the use of its free public schools. And provided further that all penalties and interest collected on assessments for local improvements by the County Treasurer shall belong to the city and be paid over to the Commissioner of Finance.

CHAPTER XIII.

Budget: Public Expenditures.

Sec. 200. It shall be the duty of the Comptroller not later than August 15 of each year to transmit to the City Council detailed estimates in writing of the expenses of the city for the next succeeding fiscal year, and of the revenue necessary to meet said expenses. Said Comptroller shall have full power and authority to require from each head of an administrative department of the City of St. Paul, or other person in control of expenditures, specific estimates, in such form as said Comptroller may prescribe, of the expenses of his department for the next succeeding fiscal year, the expenditures of the department for the six months immediately preceding June 30 next preceding, and for the last preceding fiscal year. Said estimates shall be placed in the hands of the Comptroller prior to August 1 of each year. Said estimates shall be so itemized as to show clearly the amounts to be raised for each purpose necessary to carry on the business of the city. At the same time as presenting said estimates of expenditures, the Comptroller shall also submit estimates of probable revenue from taxation, probable rate of direct property taxes necessary, and probable amount of revenue to be received by the city from sources other than direct taxation for the next succeeding

Sec. 201. The total cost of the government of the City of St. Paul in any one calendar or fiscal year, with the exception of the amount necessary to meet maturing bonds or levy certificates or similar obligations as they become due, shall not exceed \$24 per capita for each inhabitant of said city, provided that the cost of operating public utilities where this cost is met by revenues collected from patrons for the service, or from other like revenues, shall not be considered part of the cost of said government. And the Council shall have no authority to make appropriations in excess of the limitation named herein.

To determine the population upon which this per capita limitation shall be based, the Comptroller and the City Council shall take the United States census figures of population for St. Paul last announced previous to the completion of any annual budget, and shall add thereto for each year that has elapsed since said United States census a number equal to one-tenth of the increase in the population of the City of St. Paul during the period between said census and the last previous United States census. It is the intent of this section that this limitation shall cover all governmental outlay as well as maintenance of government, whether the funds are supplied by taxation or by borrowing, except in the case of public utilities, as above excepted, and in the case of local improvements paid for by special assessments.

Publication of Report and Public Hearing.

Sec. 202. Upon the receipt of the Comptroller's report the Council shall cause the same to be published once in the official paper of the city. Ten days after such publication said Council shall hold public hearings from day to day for not less than twenty days at such times and in such manner as the Council may prescribe, at which all residents of the City of St. Paul desiring to be heard may be heard in reference to any of said estimates or any item thereof. In this connection the Council is given full authority to establish under the direction of the City Clerk an exhibit of diagrams, models or other devices useful in explaining budget items to the public.

Shall Fix Expenditures.

Sec. 203. Upon the completion of said hearings, and not later than December 15th of each year, the Council shall, by ordinance to be adopted by a four-sevenths vote of all members elected to said Council, fix the amount of expenditures in dollars that may be made by several departments, bureaus or ac-

Sec. 207. Finance provide public purpose ments, bureaus government balances in end of the and purpose appropriated Said provid shall be un bureaus and ernment.

Sec. 208. the Council by the Ma the Compt in budget from item when by diciency in said transi work prov the item f made.

Unexpended Sec. 209. any funds of any year budget app year for the ances appe provided for source of ex expended by general fun as used in in the City any fiscal fund in ex meeting the chargeable and prior ye and principa cates that provide mo

Sec. 210. Sec. 211. Sec. 212. Sec. 213. Sec. 214. Sec. 215. Sec. 216. Sec. 217. Sec. 218. Sec. 219. Sec. 220. Sec. 221. Sec. 222. Sec. 223. Sec. 224. Sec. 225. Sec. 226. Sec. 227. Sec. 228. Sec. 229. Sec. 230. Sec. 231. Sec. 232. Sec. 233. Sec. 234. Sec. 235. Sec. 236. Sec. 237. Sec. 238. Sec. 239. Sec. 240. Sec. 241. Sec. 242. Sec. 243. Sec. 244. Sec. 245. Sec. 246. Sec. 247. Sec. 248. Sec. 249. Sec. 250. Sec. 251. Sec. 252. Sec. 253. Sec. 254. Sec. 255. Sec. 256. Sec. 257. Sec. 258. Sec. 259. Sec. 260. Sec. 261. Sec. 262. Sec. 263. Sec. 264. Sec. 265. Sec. 266. Sec. 267. Sec. 268. Sec. 269. Sec. 270. Sec. 271. Sec. 272. Sec. 273. Sec. 274. Sec. 275. Sec. 276. Sec. 277. Sec. 278. Sec. 279. Sec. 280. Sec. 281. Sec. 282. Sec. 283. Sec. 284. Sec. 285. Sec. 286. Sec. 287. Sec. 288. Sec. 289. Sec. 290. Sec. 291. Sec. 292. Sec. 293. Sec. 294. Sec. 295. Sec. 296. Sec. 297. Sec. 298. Sec. 299. Sec. 300. Sec. 301. Sec. 302. Sec. 303. Sec. 304. Sec. 305. Sec. 306. Sec. 307. Sec. 308. Sec. 309. Sec. 310. Sec. 311. Sec. 312. Sec. 313. Sec. 314. Sec. 315. Sec. 316. Sec. 317. Sec. 318. Sec. 319. Sec. 320. Sec. 321. Sec. 322. Sec. 323. Sec. 324. Sec. 325. Sec. 326. Sec. 327. Sec. 328. Sec. 329. Sec. 330. Sec. 331. Sec. 332. Sec. 333. Sec. 334. Sec. 335. Sec. 336. Sec. 337. Sec. 338. Sec. 339. Sec. 340. Sec. 341. Sec. 342. Sec. 343. Sec. 344. Sec. 345. Sec. 346. Sec. 347. Sec. 348. Sec. 349. Sec. 350. Sec. 351. Sec. 352. Sec. 353. Sec. 354. Sec. 355. Sec. 356. Sec. 357. Sec. 358. Sec. 359. Sec. 360. Sec. 361. Sec. 362. Sec. 363. Sec. 364. Sec. 365. Sec. 366. Sec. 367. Sec. 368. Sec. 369. Sec. 370. Sec. 371. Sec. 372. Sec. 373. Sec. 374. Sec. 375. Sec. 376. Sec. 377. Sec. 378. Sec. 379. Sec. 380. Sec. 381. Sec. 382. Sec. 383. Sec. 384. Sec. 385. Sec. 386. Sec. 387. Sec. 388. Sec. 389. Sec. 390. Sec. 391. Sec. 392. Sec. 393. Sec. 394. Sec. 395. Sec. 396. Sec. 397. Sec. 398. Sec. 399. Sec. 400.

ST. PAUL REVIEW.

Interest on Daily Balances.

Sec. 192. The Sinking Fund Committee shall make such agreement with banks receiving city deposits as to collect for the benefit of the city the maximum amount of interest on daily balances consistent with the safe keeping of city funds. The Commissioner of Finance shall not be responsible for any interest or advantage from any city for losses sustained while following strictly and in good faith the directions of the Sinking Fund Committee and the procedure laid down in this chapter.

Interest on Deposits.

Sec. 193. All interest or other form of gain or advantage accruing from the deposit in banks of public moneys shall accrue to the city for the benefit of the general fund; and the acceptance or receipt by any officer of the city, or by any employee or bureau, of any interest or advantage from any such deposit shall be malfeasance in office by such recipient.

Records by Commissioner of Finance.

Sec. 194. Said Commissioner of Finance shall keep a full and complete record of all securities, of all kinds, coming into his hands, showing the disposition of any thereof. Whenever any instrument of any kind shall be delivered to him, he shall issue duplicate receipt therefor, one to go to the Comptroller and the other to be countersigned by said Comptroller and delivered to the person surrendering the instrument, just as in the case of the paying of funds into the City Treasury.

Appointment of Subordinates.

Sec. 195. Said Commissioner of Finance shall appoint in accordance with the provisions of this charter such assistants, officers and employees as may be necessary for the performing of the duties imposed upon him by this charter, by any valid law and by any valid ordinance of the Council. On his recommendation the Council shall determine the duties, titles, compensation and number of said officers, assistants and employees. They shall be under the direction and control of said Commissioner of Finance and he shall have the power of removal and promotion under the restrictions imposed by the chapter in this charter relating to the civil service.

Powers; Additional Duties.

Sec. 196. Said Commissioner of Finance shall perform such other duties and exercise such other powers, not inconsistent with the provisions of this charter, as the Council may by ordinance direct, or this charter may provide for. Wherever in any law of the state, or in any ordinance of the City of St. Paul, or in any provision of this or any other charter of the City of St. Paul, the City Treasurer of the City of St. Paul has any duty imposed upon him which may continue under this charter, or is vested with any power, that duty shall be performed or that power exercised by the Commissioner of Finance, provided for in this charter. Said office of City Treasurer of St. Paul is hereby abolished, to date from the time when the Commissioner of Finance first selected under this charter shall qualify and take over the duties of the office of said Treasurer. Wherever in this charter the term "City Treasury" or "Treasurer" is used in such a context sense as to imply, impose or create any official duty or responsibility in connection with any money, property, or other thing belonging to the City of St. Paul, or in which said city is in any manner interested, said term or terms shall mean and signify "Commissioner of Finance," and he shall be charged personally and officially with the implied, created or imposed duty or responsibility.

Commissioner of Finance Shall Receive Moneys.

Sec. 197. Except as otherwise provided for in this charter or by the state laws, all moneys payable to the city or to any department, bureau or activity of its government, shall be payable only to the Commissioner of Finance; and all moneys payable to the city or by said departments, bureaus or activities, shall be payable only by him.

Tax Settlements; Payments to the City by the County Treasurer.

bureaus or activities of said government supported or provided for in fiscal year.

In said report of budget estimates the comptroller shall divide said estimates into the following funds:

1. "The city officers' salary fund," from which shall be paid the salaries of all officers of the City of St. Paul elected by the electors of St. Paul.

2. "Fund for salaries and expenses of the Mayor's office."

3. "Fund for salaries and expenditures of the Corporation Counsel's office."

4. "Fund for salaries and expenditures of the City Clerk's office."

5. "Contingent fund," which shall be limited to \$10,000 in any fiscal year.

6. "Finance Commissioner's fund," from which shall be paid all salaries and expenditures of that department.

7. "Police fund," to meet all police expenditures.

8. "Fire fund," to meet all fire bureau expenditures.

9. "Health fund," to meet all health bureau expenditures.

10. "Public Safety fund," to meet all health bureau expenditures.

11. "Public Safety fund," to meet all health bureau expenditures.

12. "Public Safety fund," to meet all health bureau expenditures.

13. "Public Safety fund," to meet all health bureau expenditures.

14. "Public Safety fund," to meet all health bureau expenditures.

15. "Public Safety fund," to meet all health bureau expenditures.

16. "Public Safety fund," to meet all health bureau expenditures.

17. "Public Safety fund," to meet all health bureau expenditures.

18. "Public Safety fund," to meet all health bureau expenditures.

19. "Public Safety fund," to meet all health bureau expenditures.

20. "Public Safety fund," to meet all health bureau expenditures.

21. "Public Safety fund," to meet all health bureau expenditures.

22. "Public Safety fund," to meet all health bureau expenditures.

23. "Public Safety fund," to meet all health bureau expenditures.

24. "Public Safety fund," to meet all health bureau expenditures.

25. "Public Safety fund," to meet all health bureau expenditures.

26. "Public Safety fund," to meet all health bureau expenditures.

27. "Public Safety fund," to meet all health bureau expenditures.

28. "Public Safety fund," to meet all health bureau expenditures.

29. "Public Safety fund," to meet all health bureau expenditures.

30. "Public Safety fund," to meet all health bureau expenditures.

31. "Public Safety fund," to meet all health bureau expenditures.

32. "Public Safety fund," to meet all health bureau expenditures.

33. "Public Safety fund," to meet all health bureau expenditures.

34. "Public Safety fund," to meet all health bureau expenditures.

35. "Public Safety fund," to meet all health bureau expenditures.

36. "Public Safety fund," to meet all health bureau expenditures.

37. "Public Safety fund," to meet all health bureau expenditures.

38. "Public Safety fund," to meet all health bureau expenditures.

39. "Public Safety fund," to meet all health bureau expenditures.

40. "Public Safety fund," to meet all health bureau expenditures.

41. "Public Safety fund," to meet all health bureau expenditures.

42. "Public Safety fund," to meet all health bureau expenditures.

43. "Public Safety fund," to meet all health bureau expenditures.

44. "Public Safety fund," to meet all health bureau expenditures.

45. "Public Safety fund," to meet all health bureau expenditures.

46. "Public Safety fund," to meet all health bureau expenditures.

47. "Public Safety fund," to meet all health bureau expenditures.

48. "Public Safety fund," to meet all health bureau expenditures.

49. "Public Safety fund," to meet all health bureau expenditures.

50. "Public Safety fund," to meet all health bureau expenditures.

51. "Public Safety fund," to meet all health bureau expenditures.

52. "Public Safety fund," to meet all health bureau expenditures.

53. "Public Safety fund," to meet all health bureau expenditures.

54. "Public Safety fund," to meet all health bureau expenditures.

55. "Public Safety fund," to meet all health bureau expenditures.

56. "Public Safety fund," to meet all health bureau expenditures.

57. "Public Safety fund," to meet all health bureau expenditures.

58. "Public Safety fund," to meet all health bureau expenditures.

59. "Public Safety fund," to meet all health bureau expenditures.

60. "Public Safety fund," to meet all health bureau expenditures.

61. "Public Safety fund," to meet all health bureau expenditures.

62. "Public Safety fund," to meet all health bureau expenditures.

63. "Public Safety fund," to meet all health bureau expenditures.

64. "Public Safety fund," to meet all health bureau expenditures.

65. "Public Safety fund," to meet all health bureau expenditures.

66. "Public Safety fund," to meet all health bureau expenditures.

activities of the city government of the City of St. Paul during the next following fiscal year. In fixing said expenditures, said Council shall specify as to the expenditure from each of the funds in this chapter provided, and shall make appropriations in fullest practicable detail designating the purpose of each expenditure as specifically as may be. In so fixing expenditures the Council shall follow closely as to items the estimates of the City Comptroller. In determining said expenditures said Council shall not increase by more than ten per cent any fund beyond the estimates of said Comptroller, and it shall not increase the aggregate of all appropriations more than three per cent above the estimates of said Comptroller. Said Council may reduce any item or the aggregate of all items as much as it may deem consistent with public interests. If the Council shall fail to fix before December 31 of any year the amount of expenditures for the next succeeding year, then the amount of said expenditures for the succeeding year shall be the same as the expenditures for the year in which such failure shall occur.

May Veto Items.

Sec. 204. The Mayor shall have power to veto any item or items in said ordinance without affecting the validity of any other item or items, and it shall require an affirmative vote of five Councilmen to pass said item over said veto.

Limitation: Temporary Loan.

Sec. 205. No department, bureau, activity, board or officer of said city shall have power or authority to expend any of the public moneys, or to incur any liability on behalf of the city in any fiscal year in excess of any fund or of any item of any fund as fixed by the Council except as hereinafter provided. Violation of this section shall be deemed malfeasance in office on the part of the person or persons violating it, and shall make such person personally liable to the other contracting parties for the excess for which said person has attempted to bind said city. Provided that in 1914, when this amendment goes into effect, if there is any officer, bureau, department, or activity created by this amendment which is not provided for in the budget for that year, then the Council may by temporary loan provide money for the expenditures of said officer, bureau, department or activity and said Council shall provide for the payment of said loan in the budget for 1915. Said loan shall not bear interest in excess of six per cent per annum. No limitation herein contained as to the total expenditures or the cost of city government shall apply to the levy of taxes to pay such loan. Should any part of the general fund herein be available for the temporary support of said officer, bureau, department or activity for the year 1914, the Council may so apply it.

Emergency Appropriations.

Sec. 206. In the event of destruction or of injury to public buildings or structures, by fire, flood, tornadoes or other elemental causes, or of the invasion or threatened invasion of the city by epidemic or contagious diseases, or of any other sudden and unexpected emergency wherein the funds appropriated for any of the purposes above named in this charter provided for become inadequate properly to protect the public interests, the Council by unanimous vote of all members thereof shall have power to authorize the Mayor and Comptroller, to borrow temporarily and upon such terms as the Council may prescribe, such sum or sums of money as the Council may by unanimous vote of all the members determine to be necessary to meet such emergency, and to execute and deliver to the party or parties making such loan, such notes, bonds or other evidences of indebtedness as the Council may prescribe. The payment of such temporary loans shall be provided for by tax levy within one year from the date of such loan. The limitations of this section shall not apply to such loan. All acts of the Council under this section must be approved by the Mayor and the Comptroller by signing and countersigning the ordinance or resolutions, and the Mayor and Comptroller shall sign and countersign the same.

whole or in part by taxation, and said property shall be assessed as provided by law.

Tax Levy.

Sec. 212. After the Council shall have made the apportionment of revenue from miscellaneous sources among the several funds, as provided in this charter, it shall not later than the month of January in each year proceed to make a tax levy upon all taxable property within the city, as nearly as may be equal to the aggregate amount of the previously made appropriations for each of the funds specified in this chapter, after deducting therefrom miscellaneous receipts assigned to it, and any unexpended balance of the corresponding fund of the previous year, available for said fund, and also such further sum or sums of money as the Council may have reason to believe will be received for the credit of said fund from any other source. All such tax levies shall be itemized and the amount levied for each fund be separately stated therein.

Copy to County Auditor.

Sec. 213. After making of such tax levy, a duly authenticated copy thereof shall be forthwith transmitted by the City Clerk to the County Auditor of Ramsey county, who shall cause the same to be entered upon the tax duplicate of said county, and to be collected at the times and in the manner prescribed by the general laws of this state relating to the levy and collection of taxes.

Water Department Revenues Kept Separate.

Sec. 214. All receipts and revenues of the water department shall be kept separate and distinct from the other revenues and income of the city, and shall be exclusively applied to the payment of the expense of conducting the business of that department, the repairs and maintenance of the plant and property constituting the public water works, the payment of the interest and principal of all the bonds heretofore or hereafter issued by the city for the acquisition, extension, renewal or improvement of said works, and the payment for such future extensions and improvements of the same as may be made by the city.

School, Library and Auditorium Revenues.

Sec. 215. The revenues, if any, derived respectively from the public schools of the said school district, the auditorium or the public library, shall belong to the respective funds provided for the maintenance of said schools, auditorium and library.

The Public Funded Debt Bonded Indebtedness, Interest, Sinking Fund.

Sec. 216. Save as provided otherwise in this charter, the present bonded or permanent debt of the city shall not be increased; nor shall any new bonds of the city be issued except as provided by law.

Issue of Bonds.

Sec. 217. The Council shall have power by a five-sevenths vote to authorize the issue of bonds for the purpose of refunding bonds previously issued as the same become due if the funds in the sinking fund properly applicable to such maturing bonds are not sufficient to pay and discharge the same; and also for the purpose of creating or preserving a permanent improvement revolving fund, or funds as provided for in this charter. All refunding bonds so issued shall be negotiated by the sinking fund committee, hereinafter provided for, and no part of any issue of bonds either for refunding other bonds or creating or preserving a permanent improvement revolving fund or funds shall be sold or used in exchange for bonds of a previous issue, at a less price than the full face value thereof with accrued interest, nor shall any bond or any proceeds of any bonds issued for refunding or renewing any other purpose than as provided for in this charter, be used for refunding such prior bonds. And no bonds shall be issued for the refunding or renewing of any bonds.

specific debt incurred on account of said department. Provided, that before any portion of said water department surplus is added to the general city sinking fund the Council and the water board must so direct by unanimous action of all members elect, and the Mayor and Comptroller must approve.

6. Any other moneys coming into the City Treasury not otherwise appropriated by law or by this charter.

Sinking Fund Committee.

Sec. 220. The sinking fund shall be under the management of a committee to be known as the Sinking Fund Committee, composed of the Mayor, Comptroller and the Commissioner of Finance, of which the Mayor shall be ex-officio president and the Comptroller ex-officio secretary. All moneys and securities belonging to this fund shall be kept entirely separate and distinct from all other funds belonging to the city, and records and accounts of the same shall at all times be kept showing the exact amount and condition of said funds and containing a complete description of all securities belonging to the same. And the Comptroller shall keep full and accurate minutes of all the proceedings of said committee in a book to be provided and kept by him for that purpose. Said committee shall have such further powers and duties as are conferred and imposed upon it by this charter.

Investments From Sinking Fund.

Sec. 221. As fast as the moneys accumulate in the sinking fund, the Sinking Fund Committee shall cause them to be invested in securities of the description following and not otherwise, that is to say:

1. The bonds of the City of St. Paul.
2. The interest bearing certificates of the City of St. Paul.
3. Interest bearing bonds of the County of Ramsey in this state.
4. Interest bearing bonds of the State of Minnesota, or of the United States, or of any other state which shall not at any time previously have defaulted in the interest and the principal of its bonded debt.
5. Interest bearing bonds of any county of the state of Minnesota, lawfully issued for any purpose other than to aid in the construction of a railway, or to refund railway aid bonds previously issued.

The several classes of investment for the sinking fund shall be given preference so far as practicable in the order named above.

All bonds purchased by the Sinking Fund Committee shall be stamped "Property of the City of St. Paul, transferable only on endorsement of the Sinking Fund Committee."

Sinking Fund Income.

Sec. 222. The gain or income arising from any moneys or securities held for the sinking fund shall belong to the said fund and used for the same purpose as the moneys or securities from which said gain arises.

Purchase and Sales.

Sec. 223. Members of the Sinking Fund Committee shall make all purchases for the sinking fund with a view to serving the best interests of the city. Funds in the sinking fund applicable to the purpose shall be used for the purpose of paying maturing bonds and all bonds so paid shall forthwith be canceled and filed.

Attest to Bonds: Coupons, Forms.

Sec. 224. All bonds issued by the city shall be signed by the Mayor and countersigned by the Comptroller, and have thereto attached the corporate seal of the City of St. Paul attested to by the City Clerk. Coupons issued with any such bond may be authenticated by the engraved signature of the Mayor and the countersignature of the Comptroller. Except as otherwise provided by law the form of bonds issued by the city shall be determined by the Sinking Fund Committee with the advice of the Corporation Counsel.

Tax Levy Certificates: Certificates of Indebtedness: Council May Authorize 50 Per Cent of Tax Levy.

Sec. 225. As soon as the tax levy for any year has been transmitted to the County Auditor, the Council may by resolution authorize the Mayor to

engraved on said coupons.

Minimum Price; Time of Sale.

Sec. 231. No such certificates shall be sold for less than par and accrued interest or issued after the close of the year in which the tax levy against which the same was issued was made. Such certificates shall be sold at such time or times on or after the fifteenth of June in the year in which they are issued, and in such amounts as the Sinking Fund Committee may deem most expedient and calculated to secure the best results and provide for the needs of the city.

Surplus Moneys May Be Invested.

Sec. 232. The Council may by resolution passed by five-sevenths vote of all the members temporarily invest the surplus of any moneys in the treasury belonging to any fund in the purchase of certificates of the kind aforesaid issued on account of another fund; and any such certificates so purchased shall be held collected and paid for the sole use and benefit of the fund to which the purchase money thereof belonged.

CHAPTER XIV.

LOCAL IMPROVEMENTS AND ASSESSMENTS THEREFOR.

General Powers.

Sec. 233. The municipal corporation of the City of St. Paul, by and through its Council, is hereby vested with and authorized and empowered to exercise the following powers:

(1) From time to time to acquire for present or future public use by purchase, gift, devise or condemnation any and all lands or easements therein for the following public uses and purposes:

(a) For parks, public playgrounds, parkways and boulevards; for public markets, public buildings, school buildings, hospitals, museums, art galleries, libraries and grounds for each of the aforesaid buildings; for opening, widening, extending, straightening and altering any street, lane, alley, boulevard, parkway or other public thoroughfare or highway; for harbors, levees, boat landings and approaches thereto; for garbage, reduction and rendering plants, for gas, electric lighting and power plants, and for any other public purpose or use.

(b) For easements in, over, under and across the property of persons and corporations, for streets, bridges, approaches, culverts, viaducts, ditches, sewers, wires, mains and conduits and other public purposes and uses.

(c) For easements for the construction of slopes, retaining walls, for cuts and fills upon real property on any street, boulevard, parkway or other public street, thoroughfare or highway, or for any other public use or purpose.

(2) To change the grade, to grade, to pave, with any kind of material or pavement, to curb, to boulevard, to wall, to bridge, any street, alley, lane, parkway, boulevard or other public thoroughfare or highway; and to construct and lay sidewalks and crosswalks of any material, to construct and lay sewers wherever necessary; to construct conduits and areaways for gas, telephone, electric and other wires, and other instrumentalities to be placed underground in any street, alley, lane, parkway, boulevard or other public thoroughfare or highway, and to repair and replace any of the aforesaid improvements.

(3) To drain marshes, ponds and swamps and fill the same; to abate nuisances; to grade, fill, improve, protect and ornament any public park; public square or grounds; to plant and protect ornamental shade trees in any street, parkway or boulevard; and to erect and install ornamental light, and sign posts and drinking fountains in any square, park or public grounds, or on and along any street, parkway or boulevard; and to repair and replace any of the aforesaid improvements.

Gradual Condemnations: Building Lines.

Sec. 234. In the opening, widening, extension, straightening or alteration of any street, alley, lane, boulevard, parkway or other public thoroughfare

Park Districts.

Sec. 237. As soon as practicable the Commissioner of Public Works shall prepare maps showing the natural topographical areas and divisions of the city, and report the same to the Council. Thereupon the Council, by ordinance, shall carve out and divide the city into certain areas or districts, not less than three, which districts shall be known as "park districts," and the cost of acquiring any land, or the making of any improvement in any park, playground or public square within any one or more of said districts shall be assessed against the property within said district or districts in accordance to the benefits conferred thereon.

Lateral Sewer, Water and Gas Connections.

Sec. 238. The Council is hereby authorized and empowered, whenever a sewer is ordered built, to cause such order the constructor to lay out the property lines of all lateral connections and private drains that may be deemed expedient or necessary, or whenever a street or other public highway is paved, to include in such order the construction as far as the property lines of all sewer, water and gas connections that may be deemed expedient or necessary and the same, except gas connections, to be assessed upon the property specially benefited thereby.

INAUGURATION OF PUBLIC IMPROVEMENTS.

Sec. 239. Whenever any one or more of the aforesaid improvements is contemplated or desired, it shall be inaugurated and carried out in the following manner, except as may be hereinafter modified:

Preliminary Order.

Sec. 240. Upon the written application of three or more interested owners of property which may be subject to an assessment for benefits for an improvement or improvements set out in such application, or upon the written proposal therefor by any councilman, the Council, by a resolution to be known as a "preliminary order," may order and direct the Commissioner of Public Works to investigate the necessity for or desirability of any such improvement or improvements set out in such preliminary order, the nature, extent and estimated cost of each such improvement and the total thereof, a plan, profile or sketch of each thereof, together with such other data or information as the Council may desire or require, and report the same to the Commissioner of Finance. The said Commissioner of Finance shall thereupon forthwith investigate and determine what lots, parts or parcels of land or real property may be assessed benefits to defray the cost of such improvement or each of said improvements, the total estimated amount of such assessments for each improvement and the total of all improvements, together with a statement of the assessed valuation on each lot, part or parcel of land or real property as last reported by the County Assessor, and report the same to the Council, together with the report made to him by the said Commissioner of Public Works.

Intermediary Order.

Sec. 241. Upon the reception of such report from the Commissioner of Finance, the Council shall consider the same, modify or refer the same for further information, or approve the same. When a report shall be approved or adopted the Council, by resolution to be known as an "intermediary order," shall determine to proceed with the same, or to discontinue the same. In case such intermediary order shall discontinue such improvement or improvements, then thereupon all action and proceedings shall fall and cease, and no such improvement or improvements named in the preliminary order therefor shall be again inaugurated or made except upon a new preliminary order, and no such preliminary order shall be introduced or passed for a period of six (6) months after the adoption of such intermediary order. In any later proceeding with such improvement or improvements, the Council shall determine the nature of the

estimated amount, not to exceed two per cent of the cost of such construction, for inspection, all court fees for the confirmation of such assessment, and the amount to be assessed and levied upon each and every lot, part or parcel of land or lands deemed benefited by such improvement or improvements, and in the case of each lot, part, or parcel of land, in accordance with the benefits deemed conferred thereon. Upon the completion of such assessment the said commissioner shall report the same to the Council.

Final Assessment.

Sec. 245. When such assessment has been provided for has been reported by said commissioner, the Council shall proceed to consider the same, revise, modify or refer same to said commissioner for revision or modification. After such assessment is satisfactory to the Council, it shall, by resolution, approve the same, and thereupon fix a time and place for a public hearing on the same, which shall not be less than twenty (20) days after the adoption of such resolution. The Commissioner of Finance shall forthwith give notice of such hearing in the same manner as hereinbefore in section 241.

At such hearing or any time thereafter the Council may modify, revise, amend such assessment, and when such assessment is satisfactory to the Council, it shall thereupon, by resolution, ratify such assessment and order the same to be submitted to the District Court for confirmation as hereinafter provided.

Judicial Confirmation.

Sec. 246. Upon the ratification of such assessment as hereinbefore provided, the Commissioner of Finance shall file a certified copy of such assessment with the Clerk of the District Court in and for Ramsey county, and such assessment roll shall contain a description of such improvement or improvements as shown by the final order for which such assessment was levied, the names of the persons whose names each lot, part or parcel of land stands assessed as shown by the last assessed valuation thereof by the County Assessor, a description of each parcel and the amount of the assessment against the same set opposite thereto. The filing of such assessment roll shall have the same effect as the filing of a complaint.

Thereafter the said Commissioner of Finance shall cause to be published at least once in the official paper of said city, a notice in the following form and manner:

"STATE OF MINNESOTA, COUNTY OF Ramsey, ss. District Court, Second Judicial District.

The State of Minnesota, to all persons, companies, or corporations who have or claim any estate, right, title, or interest in claim to or lien upon any of the following parcels of land described in the list hereto attached:

The list of assessments on real property for the local improvement or improvements made in the City of Saint Paul, known and described as follows: (Here insert the nature of the improvement or improvements as shown by the final order.) has been filed with the Clerk of the District Court of said county, of which that hereto attached is a copy. Therefore, you, and each of you, are hereby required to file in the office of the said clerk, on or before the twentieth (20th) day after the publication of this notice and list, your answer, in writing, setting forth any objection or defense you may have to the confirmation of such assessment, or any part thereof, upon any parcel of land described in said list, and in default thereof, said assessment will be confirmed and judgment will be rendered, but not docketed, for assessment on said list appearing against it.

(Signed) _____ Clerk of the District Court of Ramsey County.

(To be inserted in list.) _____

_____ shall conformably in the following form:

City of Saint Paul. (Known's Addition or Subdivision.)

Total _____

ABSEER

the case may be, to for his audit and approval. In none of the cases the Comptroller retain in his possession for days.

Effect of Confirmation.

Sec. 250. When a shall be confirmed and ordered, as hereinbefore against each lot, part, the same shall be final upon all persons and erty, except that the subject to review by th as in other civil action ever, that an appeal from within twenty

and after such confirmation of such appeal by Commissioner of Finance such service filed with said court, and provided such person or persons also file with said time aforesaid, a bond and in such an proved by the court o

conditioned for the amount for which the ordered and the pe allowed by law, if th District Court shall

And provided further shall affect only such parcel of land nam of appeal, and that to all other parcels as if no appeal had

Sec. 251. In all ce ssment is not con parcel of land, an sment is not de court or under its Commissioner of Finance without any or other act shall proceed assessment or new same manner as her in sections 244 to this charter, and t collected and enfor manner as other as parcels may be asse for any cause as off sary until each se parcel of land has

ate share of the co ment or interven may be. In case reassessment or n be less than the such lot, part or sessed, then the out of the gener city.

Sec. 252. If in a sment levied in s to pay fully the ment or improve sioner of Finance forthwith proceed sment the necessa property deemed vement or imp cost thereof.

Sec. 253. Prop allowed to const upon or through their own expen upon such terms lations as the C may prescribe fr

Sec. 254. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 255. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 256. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 257. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 258. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 259. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 260. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 261. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 262. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 263. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 264. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 265. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 266. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 267. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 268. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 269. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 270. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 271. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Sec. 272. If th out the provis should find any not provided for improvement of Council may, by changes or mod vement or p such unforeseen Council may de necessary, eit confirmation of any time while vement or im ress, and the ad sioned by such may be included ment or raised b ment upon the fitted thereby benefits.

Park Districts.

Sec. 237. As soon as practicable, the Commissioner of Public Works shall prepare maps showing the natural topographical areas and divisions of the city and report the same to the Council. Thereupon the Council, by ordinance, shall carve out and divide the city into certain areas or districts, not more than three, which districts shall be known as "park districts," and the duty of acquiring any land for the making of any improvement in a park, playground or public square within any one or more of said districts shall be assessed against the property within said district or districts in accordance to the benefits conferred thereon.

Water and Gas Connections.

Sec. 238. The Council is hereby authorized and empowered, whenever a sewer is ordered built, to include in such order the construction of all sewer property lines of all lateral connections and private drains that may be deemed expedient or necessary, or whenever a street or other public highway is paved, to include in such order the construction as far as the property lines of all sewer, water and gas connections that may be deemed expedient or necessary and the same, except connections, to be assessed upon the property specially benefited thereon.

INAUGURATION OF PUBLIC IMPROVEMENTS.

Sec. 239. Whenever any one or more of the aforesaid improvements is completed or desired, it shall be inaugurated and carried out in the following manner, except as may be hereinafter modified:

Preliminary Order.

Sec. 240. Upon the written application of three or more interested owners of property which may be subject to an assessment for benefits for an improvement or improvements set out in such application, or upon the written proposal therefor by any councilman, the Council, by a resolution to be known as a "preliminary order," may order and direct the Commissioner of Public Works to investigate the necessity for or desirability of any such improvement or improvements set out in such preliminary order, the nature, extent and estimated cost of each such improvement and the total therefor, a plan, profile or sketch of each thereof, together with such other data or information as the Council may desire or require, and report the same to the Commissioner of Finance. The said Commissioner of Finance shall thereupon forthwith investigate and determine what lots, parts or parcels of land or real property may be assessed benefits to defray the cost of such improvement or each of said improvements, the total estimated amount of such assessments for each improvement and the total of all improvements, together with a statement of the assessed valuation on each lot, part or parcel of land or real property as last reported by the County Assessor, and report the same to the Council, together with the report made to him by the said Commissioner of Public Works.

Intermediary Order.

Sec. 241. Upon the reception of such report from the Commissioner of Finance, the Council shall consider the same, modify or refer the same for further information, or approve the same. When a report shall be approved or adopted the Council, by resolution to be known as an "intermediary order," shall determine to proceed with the same, or to discontinue the same. In case such intermediary order shall discontinue such improvement or improvements, then thereupon all action and proceedings shall fall and cease, and no such improvement or improvements named in the preliminary order therefor shall be again inaugurated or made except upon a new preliminary order and no such preliminary order shall be introduced or passed for a period of six (6) months after the adoption of such intermediary order. In any intermediary order which shall provide for proceeding with such improvement or improvements, the Council shall determine the nature of the im-

provement, the estimated amount, not to exceed two per cent of the cost of such construction, for inspection, all court fees for consideration of such assessment, and of the disbursements, and thereupon proceed to assess and levy the total amount so ascertained upon each and every lot, part, and parcel of land or lands deemed benefited by such improvement or improvements, and in the case of each lot, part, or parcel of land, in accordance with the benefits deemed conferred thereon. Upon the completion of such assessment the said Commissioner shall report the same to the Council.

Final Assessment.

Sec. 245. When such assessment has been reported for by the Commissioner, the Council shall proceed to consider the same, revise, modify or refer same to the Commissioner for revision or modification. After such assessment is satisfactory to the Council, it shall, by resolution, approve the same, and thereupon fix a time and place for a public hearing on the same, which shall not be less than twenty (20) days after the adoption of such resolution. The Commissioner of Finance shall forthwith give notice of such hearing in the same manner as hereinbefore in section 241.

At such hearing or any time thereafter the Council may modify, revise, amend such assessment, and when such assessment is satisfactory to the Council, it shall thereupon, by resolution, ratify such assessment and order the same to be submitted to the District Court for confirmation as hereafter provided.

Judicial Confirmation.

Sec. 246. Upon the ratification of such assessment as hereinbefore provided, the Commissioner of Finance shall file a certified copy of such assessment with the Clerk of the District Court in and for Ramsey county, and such assessment roll shall contain a description of such improvement or improvements as shown by the final order for which such assessment was levied, the names of the persons whose lands each lot, part or parcel of land stands assessed as shown by the last assessed valuation thereof by the County Assessor, and the amount of the assessment against the same set opposite thereto. The filing of such assessment roll shall have the same effect as the filing of a complaint.

Thereafter the said Commissioner of Finance shall cause to be published at least once in the official paper of said city, a notice in the following form and manner:

"STATE OF MINNESOTA, COUNTY OF Ramsey, ss. District Court, Second Judicial District.

The State of Minnesota, to all persons, companies, or corporations who have or claim any estate, right, title, or interest in claim to or lien upon any of the following parcels of land described in the list hereto attached:

The list of assessments on real property for the local improvement or improvements made in the City of Saint Paul, known and described as follows: (Here insert the nature of the improvement or improvements as shown by the final order.) has been filed with the Clerk of the District Court of said county, of which that hereto attached is a copy. Therefore, you, and each of you, are hereby required to file in the office of the said clerk, on or before the twentieth (20th) day after the publication of this notice and list, your answer, in writing, setting forth any objection or defense you may have to the confirmation of such assessment, or any part described in said list, and in default thereof, said assessment will be confirmed and judgment will be rendered, but not docketed, for assessment on said list appearing against it. (Signed) Commissioner of Finance, Ramsey County, Minnesota. (To be printed in full on a separate sheet.)

Notice shall conform to the provisions of the laws of this State relating to the publication of notices. The form of the notice shall be substantially in the following form: City of Saint Paul, Ramsey County, Minnesota. (To be printed in full on a separate sheet.)

the case may be, to the Comptroller for his audit and approval thereof. In none of the cases aforesaid shall the Comptroller retain such document in his possession for more than ten days.

Effect of Confirmation and Judgment.

Sec. 250. When such assessment shall be confirmed and judgment rendered, as hereinbefore provided, against each lot, part or parcel of land, the same shall be final and conclusive upon all persons and parcels of property, except that the same may be subject to review by the Supreme Court as in other civil actions, provided, however, that an appeal be taken therefrom within twenty (20) days from and after such confirmation and a notice of such appeal be served upon the Commissioner of Finance and proof of such service filed with the clerk of said court, and provided further, that such person or persons appealing shall also file with said clerk within the time aforesaid, a bond with such sureties and in such an amount to be approved by the court or a judge thereof, conditioned for the payment of the amount for which judgment shall be rendered and the penalties and costs allowed by law, if the decision of the District Court shall be affirmed.

And provided further, that such appeal and any judgment thereunder shall affect only such lots, parts and parcels of land named in such notice of appeal, and that the assessment as to all other parcels shall be the same as if no appeal had been taken.

Reassessment or New Assessment.

Sec. 251. In all cases where an assessment is not confirmed and judgment is denied against any lot, part or parcel of land, and where such assessment is not determined by the Commissioner of Finance and the Council without any order, resolution or other act shall proceed to make a reassessment or new assessment in the same manner as hereinbefore provided in sections 244 to 250, inclusive, of this charter, and the same shall be collected and enforced in the same manner as other assessments, and such parcels may be assessed and reassessed for any cause as often as may be necessary until each separate lot, part or parcel of land has paid its proportionate share of the cost of such improvement or improvements, as nearly as may be. In case the amount of such reassessment or new assessment shall be less than the first assessment upon such lot, part or parcel of land reassessed, then the deficit shall be paid out of the general revenues of said city.

Inadequate Assessments.

Sec. 252. If in any case the first assessment levied shall prove insufficient to pay fully the cost of any improvement or improvements, the Commissioner of Finance and the Council shall forthwith proceed to assess and reassess the necessary amount upon the property deemed benefited by such improvement or improvements to pay the cost thereof.

Improvements on Private Property.

Sec. 253. Property owners may be allowed to construct any improvement upon or through their own property at their own expense, in such cases and upon such terms and under such regulations as the Council, by ordinance, may prescribe from time to time.

Unforeseen Obstacles.

Sec. 254. If the Council, in carrying out the provisions of this charter should find any unforeseen obstacles, not provided for, in the making of any improvement or improvements, the Council may, by resolution, order such changes or modifications in such improvement or improvements to meet such unforeseen obstacles as the said Council may deem equitable, just and reasonable, and before or after the completion of any assessment, or at any time while the work of such improvement or improvements is in progress, and the additional expense occasioned by such change or modification may be included in the original assessment or raised by an additional assessment upon the property deemed benefited thereby to the extent of such benefits.

Rate for Assessments.

Sec. 255. It shall be the duty of the

Commissioner to make an assessment or sale made pursuant to this charter shall extinguish or affect the lien of the city under an assessment previous to the adoption of this charter.

Notice for Payment: Delinquency.

Sec. 249. Whenever, after confirmation and audit thereof, any assessment roll is delivered by the Comptroller to the Commissioner of Finance, the said Commissioner shall forthwith proceed to collect the same, or the first installment, as the case may be, and shall forthwith cause to be published in the official paper a notice that the payment of such assessment, or the first installment, as the case may be, is thereby demanded, and that unless the same be paid within the time hereinafter provided, the same will be declared delinquent and the penalties hereinafter provided will attach.

At the same time of such publication, the said Commissioner shall also mail to the owner, or his agent, at the last known address, of any property so assessed, a postcard to the same effect, but the failure so to do shall in no way affect or prejudice the collection of such assessment or installment, nor the attaching of any penalty.

Any assessment, or first installment, as the case may be, which shall not be paid within thirty (30) days from and after the publication of the notice aforesaid shall be and become delinquent, and the said Commissioner shall forthwith add to the amount of any assessment, or first installment, as the case may be, assessed against any lot, part or parcel of land so delinquent, a sum equal to ten (10) per cent of such assessment or installment, delinquent, and in addition thereto, the said Commissioner shall collect interest on such assessment, or first installment, delinquent, at the rate of six per cent per annum from the day of such delinquency until the day of payment provided the same be paid before the first day of November following such delinquency.

Delinquent Assessments Collectible by County.

Sec. 261. Not later than the first day of November of each and every year, the said Commissioner shall certify to the County Auditor of Ramsey county a list of each and every lot, part or parcel of land against which there is a delinquent assessment, or first installment, not theretofore certified, the amount of such assessment, or first installment, and the amount of the penalty against each lot, part or parcel, together with the interest on such assessment, or installment, at the rate of six (6) per cent, against each lot, part or parcel, computed from the day of such delinquency to the first day of January following such delinquency.

It is hereby made the duty of the County Auditor aforesaid to spread and place on the tax lists or roll of real property to be delivered to the County Treasurer the January following, the amount of such assessment, or first installment, delinquent, the amount of such penalty, and the amount of such interest against each and every lot, part or parcel of land shown on said list.

Interim Payments.

Sec. 262. Whenever, after the delivery of the aforesaid list to the County Auditor, and before the first Monday of January thereafter, the Commissioner shall collect any assessment, or first installment, delinquent and shown on said list, and the penalty against the same, together with interest as aforesaid from the day of delinquency until the day of payment, then and thereupon, the said Commissioner shall forthwith at the close of each day certify to the County Auditor aforesaid a list of all such payments, and the County Auditor shall forthwith strike the assessments, penalties and interest against such lots, parts or parcels of land from such tax lists or rolls as aforesaid.

Subsequent Installments: How Collected.

Sec. 263. When an assessment against any lot, part or parcel shall be payable in two or more installments, the first installment shall be collected as hereinbefore provided, and each subsequent installment shall be and be collected as and payable annually thereafter, in sequence until such number of installments be exhausted, on the first day of November of each year, for

...and any other...
...which it may seem...
...together with the cost of each...
...it shall also fix a time and place...
...not less than twenty (20) days after...
...the passage of such order, for a public...
...hearing on such improvement or im-

...Not less than ten (10) days prior to...
...the time set for such hearing, the Com-...
...missioner of Finance shall mail to...
...every known owner of his last known...
...address, or to the agent thereof, a...
...subject to an assessment, the nature of the...
...or such hearing, the nature of the...
...improvement or improvements propos-...
...and such other information as the...
...Council may direct.

Hearing: Final Order.
Sec. 242. At the time and place fixed...
...such intermediary order, the Council...
...shall hear all persons and all ob-...
...jections and recommendations relative...
...to the improvement or improvements...
...named in such intermediary order...
...hereafter, the Council may reconsider...
...such intermediary order, and deter-...
...mine to discontinue such improvement...
...or improvements, or it may proceed to...
...adopt a resolution, to be known as a...
...final order, wherein shall be stated...
...the precise nature, extent and kind...
...of improvement or improvements which...
...shall be made, and instruct and direct...
...the Commissioner of Public Works to...
...prepare plans and specifications there-...
...for, and proceed with the making of...
...such improvement or improvements.

Petition of Remonstrance.
Sec. 243. No public improvement...
...the cost, or any part of which, shall be...
...paid by an assessment on the property...
...deemed benefited, shall be made if a...
...petition of remonstrance as hereinaf-...
...ter provided is filed with the Council...
...at any time prior to the passage and...
...adoption of the final order therefor...
...And no further action shall be taken...
...herein and all proceedings had there-...
...before shall be of no force and effect...
...and no other or new preliminary order...
...for such improvement or improvements...
...be petitioned against shall be intro-...
...duced for a period of six (6) months...
...from and after the filing of such peti-...
...tion.

Such petition shall describe the im-...
...provement or improvements, and shall...
...be signed by not less than sixty (60)...
...per cent of the resident owners, or...
...their agents, of such property affect-...
...ing said improvement, not less than fifty...
...per cent of the lineal frontage of...
...the line of such improvement, or when...
...such basis shall be impracticable, then...
...sixty (60) per cent aforesaid repre-...
...senting not less than fifty (50) per...
...cent of the parcels of land so assessed...
...Each signer shall write his name and...
...place of residence, or where an agent...
...shall sign, the name of such owner...
...by his agent and the place of resi-...
...dence of the property owned or represented...
...and the lineal feet frontage of the...
...same when required as aforesaid.

Such petition may consist of several...
...papers, but the names on each separate...
...paper or portion thereof shall be cer-...
...tified to under oath by one of the sign-...
...ers thereof.

Provided, however, that no such pe-...
...tition of remonstrance shall have any...
...force or effect whenever the Council...
...by a resolution adopted by a five-sev-...
...enths vote of all its members elect in-...
...cluding the Mayor, and adopted within...
...twenty (20) days from and after the...
...filing of such petition, shall declare...
...such improvement or improvements to...
...be a public necessity.

**ASSESSMENTS FOR LOCAL IM-
...PROVEMENTS.**
Preliminary Assessment.

Sec. 244. After the cost of the con-...
...struction of any improvement or im-...
...provement for which an assessment...
...may be levied has been determined...
...either by the letting of a contract or...
...contracts therefor, or as otherwise pro-...
...vided for in this charter, the Commis-...
...sioner of Finance shall ascertain the...
...amount of all expenditures for publish-...
...ed notices, postcards theretofore and...
...thereafter to be incurred, the cost of...
...all construction work including an

...Total Assess-
...ment.
...James Brown, (SE1) (5) (\$3.87.)
...The names, descriptions and figures...
...displayed in parentheses in the above...
...figures are merely for the purpose of...
...illustration.

The name of the township, range...
...and addition or subdivision, as...
...the case may be, shall be repeated at...
...the head of each column of the printed...
...list as brought forward from the pre-
...ceding column.

Hearing: Jurisdictional Defects.
Sec. 247. Upon due publication of...
...such notice, and of which the filing of...
...an affidavit of publication as by law...
...in such cases made and provided shall...
...be due proof, the court shall be deem-...
...ed to have acquired full and complete...
...jurisdiction to hear and determine such...
...proceeding at the next special term...
...preceding at the expiration of...
...the time aforesaid or during the...
...months of July, August and Septem-...
...ber, three days thereafter, or in both...
...cases, as soon thereafter as practica-...
...ble.

The only defenses and objections to...
...the said assessment shall be:
1. That there is no valid final order...
...for such improvement or improve-...
...ments.

2. That the assessment is fraudu-...
...lent, or made upon a demonstrable...
...mistake of fact, or upon an illegal or...
...erroneous principle of law.

The jurisdiction of the court shall...
...not be affected by any error, act or...
...omission, except as heretofore pro-...
...vided, prior to the filing of such assess-...
...ment list with the clerk, nor by any...
...mistake in copying the list for publi-...
...cation, or in publishing the same, nor...
...by reason of the assessment having...
...been charged in any other name than...
...that of the person the same is assessed...
...as heretofore provided, nor by any...
...mistake in the amount of the assess-...
...ment in such published list appearing...
...against any parcel of land therein de-...
...scribed, nor any other mistake or er-
...ror affecting the substantial right...
...of any person.

At such hearings, the court may mod-...
...ify, amend, revise the whole or...
...part of such assessment, or strike...
...any parcel of land therefrom upon...
...the ground that no benefit isured...
...therefrom, or it may direct the Commis-...
...sioner of Finance to do in accord-
...ance with the terms of its order, and...
...may do without notice submit the...
...matter to the court for its approval.

Whenever any assessment shall be...
...approved by the court, it shall make...
...an order confirming such assessment...
...and render judgment against each lot...
...or parcel of land for the amount...
...of the assessment set opposite thereto.

Certified Copy.
Sec. 248. After confirmation and...
...judgment as heretofore provided, the...
...Clerk of the District Court aforesaid...
...shall deliver to the Commissioner of...
...Finance a certified copy of such as-
...sessment roll as confirmed by the said...
...Court.

Comptroller's Audit.
Sec. 249. The Commissioner of Fi-...
...nance, before filing with the Clerk of...
...the District Court aforesaid any as-
...sessment roll shall deliver the same...
...to the Comptroller for his audit there-
...of and any objections thereto made...
...by said Comptroller shall forthwith...
...be reported to the Council for its ac-
...tion thereon.

Before the Commissioner of Finance...
...shall publish any notice for the collec-
...tion of any assessment, or before he...
...shall deliver to the County Auditor, as...
...heretofore provided, any certified copy...
...of any installment of any assessment...
...or list of delinquent installments or...
...assessments, he shall first submit such...
...assessment roll, or certified copy of...
...installments, or list of delinquents, as

...rights of the...
...in reference to its employment...
...and the determination and assessment...
...of said property by said Commis-...
...sioner of Finance and Council shall be...
...final, except as otherwise herein pro-...
...vided.

Adverse Possession.
Sec. 250. No right, title, estate or...
...interest in any property shall be prejudiced...
...or lost by an adverse possession or oc-...
...cupancy.

Nonassessable Improvements.
Sec. 251. Where the cost and ex-...
...penses of any of the following improve-...
...ments, viz: A change of grade, com-...
...mencement of any land or an enclo-...
...sure therein does not exceed the sum...
...of two hundred (\$200.00) dollars, the...
...same shall be paid out of the general...
...funds of the city.

**COLLECTION OF IMPROVEMENT...
...ASSESSMENTS.**
Assessments: How Payable.

Sec. 252. At the same time that the...
...Council, as heretofore provided, shall...
...ratify any assessment, it shall in such...
...resolution determine and provide in...
...what number of installments, not to...
...exceed ten (10) installments, the as-...
...sessment against any lot, part or par-...
...cel of land shall, or may be, paid. Pro-...
...vided, however, that any assessment...
...against any lot, part or parcel of land...
...shall not be paid in more than one...
...payment.

Lien of Assessment.
Sec. 253. The cost of any improve-...
...ment and the assessment levied and...
...assessed against any real property...
...under the provisions of this charter...
...shall be a perpetual, paramount and...
...continuing lien upon the real estate...
...from which the same may be imposed...
...and until the same is paid, provid-...
...ed, however, that as between grant-...
...or and grantee, vendor and vendee...
...and mortgagor and mortgagee, the lien...
...of such assessment shall attach as...
...follows:

(1) Where such assessment is pay-...
...able in one installment, then on and...
...from the day of the publication of a notice...
...as heretofore provided, for its pay-...
...ment.

(2) When such assessment may be...
...paid in two or more installments, then...
...the lien of the first installment shall...
...attach on and from the day of the pub-...
...lication by the Commissioner of Fi-...
...nance of a notice, as heretofore pro-...
...vided, for its payment, and the lien of...
...each subsequent installment shall at-...
...tach on the first Monday of Janu-...
...ary of the year for which such install-...
...ment is certified for collection to the...
...County Auditor of Ramsey county by...
...the Commissioner of Finance.

The lien of such assessment or of...
...any installment of such assessment...
...shall be of equal rank with the lien...
...of the state for taxes which have or...
...may be levied upon said property un-...
...der the general laws of the state, and...
...the general laws of law as to priority...
...of tax liens shall apply equally to the...
...lien of such assessment or installments...
...thereof. And to such liens for general...
...taxes with the same force and effect...
...as though all of the liens aforesaid and...
...all the taxes and the assessments and...
...installments aforesaid were of the...
...same general character and imposed...
...for the same purpose and by the same...
...authority without regard to the prior-...
...ity in point of time of the attaching...
...of either of said liens, and a sale or...
...perfecting of title under either shall...
...not bar or extinguish the other. The...
...enforcement of the liens of any install-...
...ment shall not operate to give the same...
...superiority over subsequent unpaid in-

...installments, such install-...
...ment shall bear interest at the rate of...
...six (6) per cent per annum from the...
...date of the publication of the notice...
...for payment of the first installment of...
...such assessment and until the first...
...Monday of January of the year for...
...which such installment is, or is to be...
...certified by the Commissioner of Fi-...
...nance to the County Auditor of Ram-...
...sey county for collection. Provided...
...however, that the interest on each and...
...every installment unpaid shall be due...
...and payable on the first Monday of...
...January of each and every year until...
...certified as heretofore provided, and...
...such interest on all unpaid installments...
...shall, in all respects, so and constitute...
...part of such installment certified, ex-...
...cept as may be otherwise herein pro-...
...vided.

Not later than the fifteenth (15) day...
...of October of each and every year, the...
...Commissioner of Finance shall certify...
...to the County Auditor aforesaid a list...
...of each and every lot, part or parcel...
...of land against which there is assessed...
...a second or other installment unpaid...
...not theretofore certified to the said...
...County Auditor, and the total amount...
...of the installment against each parcel...
...being the original amount of such...
...installment plus the interest there-...
...on and the interest then due on all...
...other unpaid and uncertified install-...
...ments, as heretofore provided.

The said County Auditor shall forth-...
...with place and spread such total...
...amounts aforesaid, as shown by said...
...list, against each lot, part or parcel...
...of land respectively on the tax lists or...
...tax rolls which are to be delivered to...
...the County Treasurer for collection the...
...following January.

Alterations in Lots.
Sec. 254. Whenever the County Au-...
...ditor shall discover that the descrip-...
...tion of any parcel of land shown on...
...said list certified differs from that...
...shown on the tax lists, or where any...
...lot or parcel is altered or divided, he...
...shall report the same to a committee...
...composed of the Comptroller, the Com-...
...missioner of Finance and County Au-...
...ditor, who shall examine into the mat-...
...ter and who may thereafter alter or...
...modify the description of said prem-...
...ises on such certified list and where alter-...
...ations or divisions occur pro rata such...
...assessment or installment among such...
...altered or divided parcels and do any-...
...thing else in the premises equitably...
...and justly necessary.

Advance Payments.
Sec. 255. Where an assessment is...
...payable in two or more installments...
...the entire amount of such assessment...
...against any lot, part or parcel of land...
...may be paid without interest within...
...the time limited for the payment of...
...the first installment thereof. And, any...
...number of installments, not then due...
...and payable, may be paid at any time...
...upon the payment of interest thereon...
...as heretofore provided up to the...
...time of such payment.

Collection by County Officers.
Sec. 256. Any and all delinquent as-...
...sessment, delinquent first installments...
...and other installments, or any other...
...assessment for local improvement or...
...assessment for local purposes, certified...
...to the County Auditor of Ramsey county...
...by the Commissioner of Finance or...
...any other municipal officer or body of...
...the City of St. Paul authorized so to...
...do, shall be collected and the col-...
...lection thereof enforced in the same...
...manner, in all respects, as county and...
...state taxes, and all of the foregoing as-...
...sessment or installments, of whatever...
...nature shall be subject to the like pen-...
...alties, costs, interest charges, whether...
...paid or not, interest charges or pen-...
...alties or not interest charges added thereto...
...have been theretofore added thereto...
...by said city or not, and shall in all...
...respects be treated and enforced as if...
...the same were state and county taxes...
...And it is hereby made the duty of

the County Auditor and the County Treasurer, and all county officers necessary therefor, to carry out the foregoing provisions.

Forfeited Sale of Present Certificates.

Sec. 267. All certificates of sale for local improvements or other improvements now held by the city in any manner and upon which the time for redemption has expired, and all certificates aforesaid now held by said city upon which the time for redemption has not yet expired, upon the expiration of the time aforesaid, may be sold by said city by public sale or sales, by and through such officer or officers, at such times, upon such public notice, and upon such terms and conditions as the council, by ordinance, may prescribe and provide.

Pending Acts.

Sec. 268. Assessments now being collected, all assessments made and confirmed but not collected, all other acts and proceedings had for any public improvement under the existing charter are hereby ratified and confirmed, but all other acts and proceedings to be done or had relative to the completion of the aforesaid, shall be done and had under the terms and provisions of this charter, wherever in the opinion of the Council, by resolution, the same is practicable, and wherever the same is impracticable, in the opinion of said Council, the same shall be continued under the terms and provisions of the existing charter, and the terms of the existing charter are hereby continued in force until such acts and proceedings are completed. The opinion of the Council in the foregoing matters shall be construed to be judicial and final and conclusive in all matters and upon all persons. Whenever it shall be impossible for any officer under the existing charter to perform any act therein required by reason of the discontinuance of the office, the Council shall by said resolution, designate the officer or officers under this charter to perform the duties of such office or officer abolished required to complete such acts or proceedings aforesaid.

Condemnations; Inaugurations; Awards.

Sec. 269. Whenever after the Council has adopted an intermediary order for any public improvement for which an assessment may be levied and which shall require the taking or condemnation of any land or an easement therein, or in any other case where the Council has determined that it shall be necessary for the city to acquire any land or an easement therein, and such land or such easement cannot be acquired except by condemnation or where the Council has ordered the condemnation and taking of any land, lands or easement for public purposes, the Commissioner of Public Works shall make and deliver a sketch, plan or profile and such other necessary data showing the exact amount of such land of the easement therein necessary so to be taken or condemned and report the same to the Council. The Council thereupon shall by resolution fix the exact amount of such land or the exact extent of such easement to be taken or condemned, and thereafter the Commissioner of Finance shall view the said premises, fix and determine the value of such land, lands or easement aforesaid, and the amount of damages that shall be awarded to each and every person known or shown by the records of the Register of Deeds in and for Ramsey county to have any right, title, estate, lien or interest therein. When the said Commissioner of Finance shall deem it advisable, he may subpoena and examine under oath any person or persons relative to the value of such land, lands, or easement therein and the value of any right, title, estate, lien or interest therein. When the said Commissioner of Finance aforesaid shall have fixed and determined the value of such land, lands or easement therein, and the amount of the awards aforesaid and to whom payable, he shall report the same to the Council.

Confirmation of Awards.

Sec. 270. The Council, upon the delivery of such report aforesaid, shall fix the time and place for a public hearing thereon, and the same shall be held at the same place and time as shall be fixed by the Council.

notice of appeal and objections, together with a bond to the City of St. Paul conditioned to pay all costs which may be awarded against appellant, in such sum and with such surety as shall be approved by a judge of said court. In case of an appeal, a copy of all the awards as confirmed by said Council, at the expense of the appellant, which shall not exceed the sum of three (\$3.00) dollars and which shall be paid into the City Treasury, shall be made and certified to by the said Commissioner of Finance, and shall be filed in the office of the clerk of the said court, and the said cause shall be docketed in the name of such appellant against the City of St. Paul as an appeal from such confirmation. Said cause may be brought on for hearing by either party and shall have preference over all other civil cases. Such appeal shall be tried as other civil cases, except that no pleading shall be necessary, and on such trial the only question to be passed upon shall be whether the said Council had jurisdiction in the case, and whether the valuation of the property specified in said objections is a fair valuation, and the award to such objector is fair and impartial. The judgment of the court shall be either to confirm such award or to annul the same as far as the same affects the property of the objector, and no more, and an appeal may be taken therefrom by either party in the same manner as in the case of other civil actions. Any judgment against the city for costs and disbursements shall be a separate judgment and shall be payable out of the general funds of said city.

Consummation of Condemnation.

Sec. 272. In all cases where the cost of any improvement shall be assessed against property deemed benefited, and which improvement shall require the taking and condemnation of any land or interest therein, and after the determination of damage and awards therefor as hereinbefore provided has been ratified by said Council, the land, lands or easement therein shall be and become the property of the City of St. Paul upon the adoption and passage by said Council of a final order for such improvement, and such adoption of a final order shall be and constitute a complete consummation of such proceedings, and a lawful and sufficient condemnation thereof of every right, title, estate, lien or interest therein. In all other cases, such taking and appropriation and condemnation shall be deemed completed and consummated, and a sufficient and lawful condemnation, upon the ratification by the said Council of the awards aforesaid.

The City of St. Paul shall have the right to enter upon and take possession of all lands and property, or easements so condemned, and to appropriate such lands, property and easements of the purposes for which the same were condemned at such time as hereinbefore provided, and no appeal therefrom shall delay the right of the city so to do.

Ninety (90) days from and after the consummation of any condemnation proceedings, the sums so awarded as damages shall bear interest at the rate of six per cent per annum until paid.

Record of Lands Condemned.

Sec. 273. It shall be the duty of the Commissioner of Finance, whenever possible, to secure deeds to lands, or easements therein, and record the same, and in addition thereto cause to be filed in the office of the Register of Deeds a copy of any plat, sketch, profile, together with a description of all premises or easements condemned. The said Register shall receive no fees therefor, and shall file and record the same without any certification as to ex-taxes or assessments.

Buildings: Appraisal, Removal.

Sec. 274. If there should be any building standing, in whole or in part, upon the land to be taken, the said commissioner and Council shall add to their estimate of damages for the land, the damages also for the building or part thereof necessary to be taken, if it be the property of the owner, or when separately owned, and it shall be assessed and to be taken, if the same be necessary to remove the

than the 20th of the said month, the said comptroller shall report same to the council for its approval, by resolution and not later than the first day of November of each year the commissioner of finance shall certify to the county auditor of Ramsey County a list of each parcel of land and the assessment against the same for such sprinkling and other costs thereof, as approved by the council. The county auditor and the county treasurer shall proceed to collect and enforce the collection of the same in the same manner as provided herein for the collection and enforcement of the collection of assessments for other local improvements, and render due account thereof in the same manner and at the same time. All moneys so collected and all interest, penalties and other moneys accruing thereto, shall be kept in a separate fund and shall not otherwise be used than to pay from time to time the cost of such sprinkling and other expenses connected therewith in advance of the collection of an assessment therefor.

Municipal Sprinkling Plant.

Sec. 277. The council shall have the power to establish and maintain, under the direction of the commissioner of public works, a plant or outfit, including necessary horses, wagons, and other material and equipment for the sprinkling of streets and public places. The cost of maintaining, establishing, and enlarging such plant, outfit, apparatus, material and equipment shall be deemed part of the cost of such sprinkling for which assessment may be made.

FUND OF LOCAL IMPROVEMENTS. Deferred Installments.

Sec. 278. Whenever an assessment for an improvement or improvements is payable in two or more installments, and after the time for the payment of the first installment has expired, the council, by resolution, may authorize the issuance and sale in such manner and form as it may deem wise of "Local Improvement Certificates of Indebtedness," against all installments, except the first installment, not yet due and remaining unpaid, and to the amount of such installments. All proceeds from the sale of such certificates shall be credited to a "Permanent Improvement Revolving Fund," and all collections of all assessments, installments, interest, penalties, and other charges shall likewise be credited thereto, and all payments in the liquidation of the cost of any improvement for which an assessment is levied shall be paid therefrom. Nothing herein shall prevent the issuance and sale of certificates to cover several assessments, without the enumeration therein of such assessments. Such certificates shall be a first lien upon all the moneys in said Permanent Improvement Revolving Fund, and the general faith and credit of the city is pledged to pay all and any deficiency or deficiencies, in case such moneys shall prove insufficient to pay such certificates in full, and that it shall at all times maintain the said Revolving Fund so that it shall be sufficient to meet all demands on the same at maturity. The council, by resolution, is empowered and authorized to issue and sell additional certificates or bonds, or make appropriations to maintain such revolving fund in a condition to meet all demands upon it for the payment of certificates at maturity. Such bonds shall not be issued to exceed a term of twenty (20) years, nor shall exceed four per cent per annum for interest, and shall not be sold for less than par and accrued interest. Such certificates shall be in the same form as other certificates hereinbefore provided.

No such certificate shall be made or mature at a date to exceed three (3) years from the day of its issuance, and the rate of interest shall not exceed six (6) per cent per annum, payable semi-annually, and no certificate herein provided shall be sold at less than par and accrued interest. Such certificates may be issued in denominations as the council shall provide. Provided however that the total amount of all such certificates and bonds shall not at any time exceed five (5) per cent of the total assessed value of real property in said city.

side walk shall be done under the supervision and direction of the said commissioner of public works, and the said commissioner of public works shall charge a uniform fee, to be fixed by the council, by resolution, to cover the cost of such supervision and direction, which fee shall be paid into the city treasury at the time of the issuance of such permit. Such owner, having complied with the foregoing requirements, shall be exempt from any assessment on account of such improvement aforesaid. In case the said owner shall fail to comply with the aforesaid requirements and within the time aforesaid, the said commissioner of public works, shall give written notice to the contractor aforesaid to proceed with such work as directed by said final order, and the property of such owner shall be assessed therefor to the extent of such benefits, and such owner shall also forfeit such fee aforesaid.

CHAPTER XV. THE PURCHASING DEPARTMENT. Purchasing Department.

Sec. 283. There is hereby created a Purchasing Department to be under the management and control of the Purchasing Agent, appointed by the mayor with the approval of the council.

Employes: Appointment of.

Sec. 284. Subject to the provisions of this charter, the Purchasing Agent may appoint a Deputy-Purchasing Agent, who shall not be subject to the civil service rules, and such other assistants and employes as the council shall authorize and at such compensation as it shall fix.

Powers: General.

Sec. 285. The Purchasing Agent shall purchase, procure and contract for all articles, supplies and other portable goods, including printed matter, not otherwise provided for in this charter, for the use of the council, and each and every officer and department of the city, subject to the provisions of this charter and the ordinances enacted in pursuance thereof.

Appropriation Limits.

Sec. 286. But no purchase shall be made, liability incurred or contract let under the preceding section, except upon the written certification by the comptroller that an appropriation or appropriations have been made therefor by the council and sufficient thereof remains unexpended to pay for the same.

Requisitions.

Sec. 287. Except as herein otherwise provided, all purchases shall be made or contract let only upon the written requisition therefor by the officer or department demanding same.

Compulsory Requisitions.

Sec. 288. With the consent of the council, the Purchasing Agent may himself requisition the entire appropriation, or so much thereof as may be advisable, at such time and in such manner as the council shall prescribe, of each and every officer and department remaining at any time unexpended.

Bulk-buying.

Sec. 289. The council shall, by an administrative ordinance, authorize contracts for and purchases of such supplies as it may deem advisable, in bulk, for the use of any and all officers and departments, for the entire year or part thereof and at such times and in such quantities as it may deem advantageous and shall prescribe the mode of delivery, inspection, storage and distribution of the same.

Patented Articles.

Sec. 290. The purchasing agent with the consent of the council and the comptroller, may purchase or contract for, without advertisement and competitive bids, such articles which by reason of a patent or copyright are sold only at a uniform price and where in such cases no advantage can be secured by competitive bids.

Emergencies.

Sec. 291. In case of an emergency, where failure to act promptly will work an injury to the city, the purchasing agent, with written consent of the comptroller and mayor and the consent of the council, may purchase supplies to any amount without advertisement and competitive bids.

Annual Statement of Supplies.

Sec. 292. Not later than the first

reference to the state the time and place of opening of bids, shall be made on form prescribed by the purchasing agent, and the quantity and title bid on, and may be as to one named in the advertisement, also be filed at the time the advertisement is published, and the representative as as may be prescribed.

Reject.

Sec. 293. The reject all bids which the council has failed to accept, and all bids containing erasures. In case all bids, the council may purchase or purchase in such other manner as it may be prescribed.

Sec. 299. All on formal bids, lowest responsive award shall be given, and the departments shall be their advice.

Inspection.

Sec. 300. No articles shall be purchased by any officer or same shall have as to quantity, price and rules and regulations by an administrator prescribe.

Sales.

Sec. 301. The sell all material personal property which is not a condemned, any officer or certification by the council, by an shall prescribe from such sale deposited with the count of the sale was made.

Permanent.

Sec. 302. department of any real building or improvement, in provided, shall report of the cost together with other data of nature thereof, estimated value and a statement, of the manner in which provided. project, it shall be the same to therefor in visions of

Sec. 303.

under may demerit sale. When secured by on lands, purchasing department committed or through or lands, securing to the promptly such land or cancel securing one per to be pur land cannot be direct the be institu this chart

such land or easement by condemnation or otherwise. The Council has ordered the condemnation and taking of any land, lands or easement for public purposes, the Commissioner of Public Works shall make and deliver a sketch, plan or profile and such other necessary data showing the exact amount of such land of the easement therein necessary so to be taken or condemned and report the same to the Council. The Council thereupon shall by resolution fix the exact amount of such land or the exact extent of such easement to be taken or condemned, and thereafter the Commissioner of Finance shall view the said premises, fix and determine the value of such land, lands or easement aforesaid, and the amount of damages that shall be awarded to each and every person known or shown by the records of the Register of Deeds in and for Ramsey county to have any right, title, estate, lien or interest therein. When the said Commissioner of Finance shall deem it advisable, he may subpoena and examine under oath any person or persons relative to the value of such land, lands, or easement therein and the value of any right, title, estate, lien or interest therein. When the said Commissioner of Finance aforesaid shall have fixed and determined the value of such land, lands or easement therein, and the amount of the awards aforesaid and to whom payable, he shall report the same to the Council.

Confirmation of Awards.

Sec. 270. The Council, upon the delivery of such report aforesaid, shall fix a time and place for a public hearing upon the same, and for the confirmation of the award or awards aforesaid. Upon five ten days' notice in the official paper and such publication shall be given, notice upon all persons or parties having or claiming any right, title, estate, lien or interest in any land, lands or easement therein, or of the taking or condemnation thereof, and of the award or awards of damages for such right, title, estate, lien or interest in said land, lands or easement therein. And each and every person having or claiming any right, title, estate, lien or interest in any land, lands or easements aforesaid, or in the award of such damages shall be forever barred and estopped to question in any manner or in any respect, such taking or condemnation or the award of damages therefor, unless such person or persons shall, at the time of such hearing, file in writing with the said Council, or the City Clerk, if filed prior to such hearing, objections to the taking or condemnation of such land, lands or easement therein, or the award of damages therefor, or both, as the case may be.

At least five (5) days prior to such hearing, the said Commissioner of Finance shall serve or cause to be served, in the same manner as by law provided for the service of a summons, a notice of such hearing upon all persons, or their known agents, having or claiming to have any right, title, estate, lien or interest in the said premises so taken or condemned, who can be found in the City of St. Paul, and the affidavit of the commissioner that any person, or their known agents, do not reside or cannot be found in said city, shall be final and conclusive upon all persons as to such facts. At least five (5) days prior to such hearing, the said commissioner shall cause to be mailed, by registered letter, a notice of such hearing to all persons, or their known agents, who cannot be found in said city or who do not reside therein, directed to their last known address or residence, provided, however, that where such parties are unknown, or their place of residence or last address is unknown, no such notice need be mailed, and of such fact the affidavit of the said commissioner shall be final and conclusive. Provided, however, that the failure of the said commissioner to cause the service of such notice or mail the same shall in no way prejudice such condemnation or the award of damages therefor, but the willful neglect or failure so to do shall constitute malfeasance in office, be a misdemeanor punishable by fine not less than one hundred (\$100.00) dollars or imprisonment in the work house for not less than ninety days, or both, and shall in addition render the said commissioner personally liable to any person damaged thereby.

At the time and place fixed in said notice, the Council shall hear all persons desiring to be heard relative to the matter, and thereafter may modify, alter or revise such report aforesaid, and when the same shall be satisfactory to the said Council, it shall, by resolution, ratify and confirm such taking or condemnation and the award of damages to the persons or parties aforesaid, and when so ratified and confirmed the same shall be final and conclusive upon all persons, except as hereinafter provided.

Appeals, Notice Pleadings, Jurisdiction of Court.

Sec. 271. Any person whose property has been appropriated or taken, and who has filed objections thereto or the award therefor, shall have the right at any time within ten days from the ratification and confirmation aforesaid to appeal to the District Court of Ramsey county, from such ratification and confirmation. Said appeal shall be made by filing a written notice of appeal with the Commissioner of Finance, specifying the name of the appellant, a description of the property est, and such interest therein, and objections to such taking or condemnation or award, or both, and by filing with the clerk of the said court within twenty (20) days after such ratification and confirmation a copy of said

the said Commissioner of Finance shall have the right to enter upon and take possession of all lands and property, or easements so condemned, and to appropriate such lands, property and easements of the purposes for which the same were condemned at such time as hereinbefore provided, and no appeal therefrom shall delay the right of the city so to do.

Ninety (90) days from and after the consummation of any condemnation proceedings, the sums so awarded as damages shall bear interest at the rate of six per cent per annum until paid.

Record of Lands Condemned.

Sec. 273. It shall be the duty of the Commissioner of Finance, wherever possible, to secure deeds to lands, or easements therein, and record the same, and in addition thereto cause to be filed in the office of the Register of Deeds a copy of any plat, sketch, profile, together with a description of all premises or easements condemned. The said Register shall receive no fees therefor, and shall file and record the same without any certification as to ex-taxes or assessments.

Buildings: Appraisal, Removal.

Sec. 274. If there should be any building standing, in whole or in part, upon the land to be taken, the said commissioner and Council shall add to their estimate of damages for the land, the damages also for the building or part thereof necessary to be taken, if it is the property of the owner, when assessed separately, and at the same time fix the value of such building or part thereof to be taken, if such owner shall object to remove the same. Such owner, in writing and at the hearing for the confirmation of such award shall elect to remove such building at the value fixed or allow same to remain on the premises, and if he fail so to elect, he shall be deemed to have elected to permit such building to remain, and upon the consummation of such condemnation as hereinbefore provided, the Commissioner of Finance shall proceed to sell at public auction for cash and upon ten (10) days' notice by one publication in the official paper, and cause said building to be removed, and deposit said proceeds of such sale in the treasury to the credit of the assessment fund for such improvement and where feasible deduct the same from the assessment against each lot pro rata, and if not feasible then such money shall be placed in the general funds of said city.

Street Sprinkling: Appropriations Therefor.

Sec. 275. The Commissioner of Public Works shall in August of each year determine the amount of street sprinkling that in his judgment should be done during the next fiscal year and report the same with the probable cost thereof to the Council, which may modify or approve such report, and if it appears that moneys in the sprinkling fund, or accruable thereto shall prove insufficient to defray the cost of such sprinkling during the ensuing year, and equipment for such purposes the Council may provide sufficient funds by appropriation and tax levy therefor.

The levy and collection of such taxes shall in no way prevent the making and collection of assessments for such sprinkling and cost of any equipment, and all sums realizable from any source shall be used to pay for such equipment and the cost of such sprinkling in advance of the collection of the annual assessment therefor.

Order for Sprinkling.

Sec. 275a. No street, thoroughfare or public highway or other public or private place shall be sprinkled by the Commissioner of Public Works except upon the order of the Council by resolution therefor.

Cost of Sprinkling.

Sec. 275b. The Commissioner of Public Works shall keep accurate account of the cost, including inspection, of all sprinkling as nearly as the same can be ascertained, in front of the lots or parcels of land fronting on said improvement. The proportion of the cost chargeable to any street railway or other occupant of the public highway shall be deducted from the charge against abutting property. Not later than the first day of October of each year the said Commissioner of Public Works shall report and deliver to the Commissioner of Finance, a statement showing the total cost of such sprinkling, the total cost of inspection, the total amount expended during the year for new equipment, repairs and general maintenance, the amount payable by each occupant of a public highway, and the amount of the cost of such sprinkling, inspection in front of each parcel, and the pro rata amount of the cost of equipment, repairs and maintenance in front of each parcel, less the pro rata amount of such sprinkling to be paid by such occupant of any highway from such lots abutting on the highway so occupied.

Assessment for Sprinkling, Etc. and Collection Thereof.

Sec. 276. The Commissioner of Finance, not later than the 15th day of October of each year shall thereafter assess the cost of such sprinkling, inspection, pro rata share of cost of equipment and maintenance, less such deductions as heretofore provided, and the cost of making and collecting such assessment upon each lot, part or parcel fronting on such improvement. The Commissioner of Finance shall in accordance with the report of the said commissioner of public works and the said amount of sprinkling done in front of the said premises, and deliver the same to the comptroller for audit. Not later

therein of such assessments such certificates shall, in the order of their priority, be a first lien upon all the moneys in said Permanent Improvement Revolving Fund, and the general faith and credit of the city is pledged to pay all and any deficiency or deficiencies, in case such moneys shall prove insufficient to pay such certificates in full, and that it shall at all times maintain the said Revolving Fund so that it shall be sufficient to meet all demands on the same at maturity. The Council, by resolution, is empowered and authorized to issue and sell additional certificates or bonds, or make appropriations to maintain such revolving fund in a condition to meet all demands upon it for the payment of certificates at maturity. Such bonds shall not be issued to exceed a term of twenty (20) years, nor shall exceed four per cent per annum for interest, and shall not be sold for less than par and accrued interest. Such certificates shall be in the same form as other certificates hereinbefore provided.

No such certificate shall be made or mature at a date to exceed three (3) years from the day of its issuance and the rate of interest shall not exceed six (6) per cent per annum, payable semi-annually, and no certificate herein provided shall be sold at less than par and accrued interest. Such certificates may be issued in such denominations as the Council shall provide.

Provided however that the total amount of all such certificates and bonds shall not at any time exceed five (5) per cent of the total assessed valuation of real property in said city liable to taxation.

No improvement, for which an assessment may be levied and which will require the issuance of such certificates in excess of such limitation, shall be undertaken. Nothing herein shall prevent the making of any improvement where the assessment shall be payable in one installment.

Delinquent assessments or installments.

Sec. 279. All the proceeds of the forfeited sale of local improvement certificates now held by said city as provided for in Section 267 shall be used and employed to fund and carry all assessments or installments delinquent, and shall be known as the "Delinquent Assessment Fund." When such fund shall prove insufficient to carry such delinquent assessments and installments, the Council shall from time to time provide sufficient funds therefor, by appropriation. Any surplus in such fund shall be invested in local improvement certificates of indebtedness.

SIDEWALKS.

Proposals: Orders.

Sec. 280. It shall be the duty of the commissioner of public works annually to cause proposals to be published in the official paper in the same manner and for the same time as for other public improvements, for the construction, relaying and repair of such sidewalks as may be ordered built, relaid or repaired by the Council prior to the first day of November of each year.

Such proposals may provide for a separate contract for the construction, repair and relaying wood sidewalks, and also for one or more contracts for the construction, repair and relaying of sidewalks of brick, stone, cement and any other material or materials. The work shall be let and placed under contract as other improvements, for which an assessment shall be levied.

Whenever the Council shall pass a final order for the construction, repair or relaying of any sidewalk, the commissioner of finance shall transmit a copy of such order to the contractor who shall proceed to comply therewith without unnecessary delay within thirty (30) days after the delivery of such final order, except as hereinafter provided. The final order of the Council shall describe definitely the property in front of which such sidewalk shall be constructed, relaid or repaired as the case may be.

Assessments Therefor.

Sec. 281. The said commissioner of finance shall as soon as practicable after the construction, repair or relaying of such sidewalks report to the commissioner of finance, the cost thereof including inspection thereof, as nearly as he can ascertain the same, and the said commissioner of finance shall proceed to assess such cost and inspection and the necessary cost of collecting such assessment upon lots and parcels of land benefited by said improvement upon the basis of the lineal frontage of such lot or parcel of land, and thereafter the procedure for perfecting such assessment and the collection and the enforcement thereof shall be the same as in the case of other assessments.

Private Laying of Sidewalks.

Sec. 282. When the Council shall have passed a final order aforesaid, the owner of property where such sidewalk is to be constructed, relaid or repaired under such order may, at his own expense construct, relaid or repair, as the case may be, such sidewalk in conformity with such order upon the following conditions: Such property owner electing so to do shall file with the commissioner of public works a written notice of such election within ten (10) days after the publication of such final order, and it shall be the duty of the said commissioner of public works to grant written permission so to do within thirty (30) days from and after a time specified in such permit. The said commissioner shall thereupon give prompt notice thereof to the contractor of the laying, repairing or constructing such

Compulsory Requisitions.
Sec. 288. With the consent of the Council, the Purchasing Agent may himself requisition the entire appropriation, or so much thereof as may be advisable, at such time and in such manner as the Council shall prescribe, and each and every officer and department remaining at any time unexpended.

Bulk-buying.
Sec. 289. The Council shall, by an administrative ordinance, authorize contracts for and purchases of such supplies as it may deem advisable, in bulk, for the use of any and all officers and departments, for the entire year or part thereof, and at such times and in such quantities as it may deem advantageous and shall prescribe the mode of delivery, inspection, storage and distribution of the same.

Patented Articles.

Sec. 290. The purchasing agent with the consent of the Council and the comptroller, may purchase or contract for without advertisement and competitive bids, articles which by reason of a patent or copyright are sold only at a uniform price and where in such cases no advantage can be secured by competitive bids.

Emergencies.

Sec. 291. In case of an emergency, where failure to act promptly will work an injury to the city, the purchasing agent, with written consent of the comptroller and mayor, and the consent of the Council, may purchase supplies to any amount without advertisement and competitive bids.

Annual Statement of Supplies.

Sec. 292. Not later than the first day of the month of June, the purchasing agent and department of the city shall transmit to the purchasing agent a full and complete statement of all the kinds of supplies and articles and the quantity thereof needed during the ensuing year as nearly accurate as the same can be estimated, together with a statement of the approximate time when such shall be needed. Such statement shall merely be for the guidance of the purchasing agent and shall not take the place of any requisition therefor.

DUTIES OF PURCHASING AGENT.

Purchase Standard Articles.

Sec. 293. The Purchasing Agent shall make all purchases and let all contracts in accordance with the provisions of the charter and ordinances enacted in pursuance thereof, for standard articles and upon standard specifications, unless patented articles are demanded or the same is impracticable, to which fact the comptroller shall certify.

Price Records.

Sec. 294. He shall maintain a price record both from purchases made and of current quotations in such manner as may be prescribed by the comptroller with the approval of the Council by administrative ordinance.

Accounting Methods.

Sec. 295. He shall perform such duties relative to the approval of claims, the keeping of accounts, stock records, and other accounting procedure as the comptroller with the approval of the Council by an administrative ordinance may prescribe, and also perform such other duties as by this charter, and administrative ordinances enacted in pursuance thereof, may be imposed upon him.

STANDARDIZATION OF SUPPLIES, SPECIFICATIONS AND CONTRACTS.

Commission: Powers.

Sec. 296. There is hereby created a commission, composed of the mayor, the comptroller and the purchasing agent, which shall have the power to establish from time to time standards for each and every article for the use of any and all officers and departments; to make or cause to be made any test, examination or analysis necessary therefor; to require the assistance of any and all officers and departments therefor; to frame or cause to be framed full, proper and uniform specifications therefor and standard and uniform forms of contracts, and to provide penalties for the failure of any officer or department to use the same. All of the foregoing shall be done with the consent and approval of the Council by and through an administrative ordinance. All standards or samples thereof shall be in the custody of the purchasing agent.

Contracts: Advertisements, Bids and Awards.

Sec. 297. All contracts and purchases of supplies are hereby divided into the following classes:

(a) Informal Purchases. All purchases or contracts under the sum of one hundred (\$100.00) dollars shall be made in such manner and from such persons as the purchasing agent may determine.

(b) Informal bids. All contracts and purchases of one hundred (\$100.00) dollars and not to exceed five hundred (\$500.00) dollars shall be made upon such informal bids or proposals, not less than two, as the purchasing agent may procure or may be filed with him, and shall be awarded to the lowest responsible bidder by the purchasing agent. Notice of such proposed purchases shall be posted in the office of the purchasing agent for not less than one day.

(c) Formal Bids. All purchases or contracts in excess of the sum of five hundred (\$500.00) dollars shall be made only upon competitive sealed bids and after advertisement therefor in the official newspaper for at least once a week for two successive weeks. Such advertisement shall state the kind and quantity of articles desired, and the quality thereof either in full or by ref-

building or apparatus, improvement, except as in provided, such office shall report to the Council of the cost of such if together with sketch and other data as to give the nature thereof, the estimated value of the land and a statement, certified, of the funds of the manner in which such project, if the Council shall be made in accordance with the provisions of this charter.

Purchase of

Sec. 303. All lands under may be acquired by condemnation or by purchase. When feasible the same shall be secured by private sale on lands, composed of the purchasing agent and department requiring a committee shall secure or through agents on lands, and report to the Council. The securing such land and to the Council. The Council shall promptly authorize such land or lands as or cancel said option securing said options one per cent of the value to be purchased. In case land cannot be secured by purchase, the Council shall condemn the same under this charter, to secure same.

Erection of

Sec. 304. (a) Sketched or contemplated, either by any commissioner, the commissioner of parks, playgrounds, shall prepare, as soon as any and all sketch plans therefor.

(b) Complete Plans. When any such plan has been authorized, the commissioner of parks, playgrounds and public buildings or cause to be prepared estimates of cost therefor. Under the direction of the commissioner aforesaid shall frame all plans and make estimates of all public buildings, playgrounds, and public buildings, the commissioner to employ a signing architect to prepare such plans and specifications. All plans and specifications prepared and approved provided for in the play-grounds and public buildings, as modified.

(c) Construction By Contract. The construction of buildings shall direct agent to advertise in accordance with the charter for alternate upon the basis for a named by the bidder basis for the construction by the said or cost account, which contain the cost thereof by the bidder and the cost demanded by the construction and super hereby made the duty of the commissioner of parks, playgrounds and public buildings to submit such construction to the City Department.

Subject to the approval of the Council, the said commissioner shall award the contract to the lowest bidder either upon the basis of cost and percentage or upon the basis of subject all bids and recommendations that the parks, playgrounds and public buildings shall perform such work.

(2) Construction City Department. The judgment of the construction of any building economically done before or after the proposals therefor, it shall be the duty of the commissioner of parks, playgrounds and public buildings to the department required on the basis of cost but no percentage shall be allowed.

Sec. 305. Any placements or alterations or buildings, shall exceed the sum of (\$500.00) dollars or shall not be done by the employees and of any officer or made in the manner prescribed for new construction.

Grants

Sec. 306. Neither agent nor any person department shall give, or his agent with him, any gift, or present, or any other thing, or have any dealings, which shall constitute a forfeiture of such office.

Council

Sec. 307. The administrative ordinance provide other and regulations for the government of the pur-

ST. PAUL REVIEW.

the 20th of the said month, the comptroller shall report same to the council for its approval, by resolution, and not later than the first day of each year the comptroller and member of finance shall certify to the auditor of Ramsey County a list of each parcel of land and the amount against the same for such taxes and other costs thereof, as levied by the council. The county auditor and the county treasurer shall be held to collect and enforce the collection of the same in the same manner as provided herein for the collection and enforcement of the collection of assessments for other local improvements, and render due account of in the same manner and at the same time. All moneys so collected, all interest, penalties and surcharges accruing thereto, shall be in a separate fund and shall not be used than to pay from time to time the cost of such sprinkling and other expenses connected with in advance of the collection assessment therefor.

Municipal Sprinkling Plant.

277. The council shall have the right to establish and maintain, under the direction of the commissioner of public works, a plant or outfit, including necessary horses, wagons, and material and equipment for the sprinkling of streets and public places. The cost of maintaining, establishing, enlarging such plant, outfit, apparatus and equipment shall be a part of the cost of such sprinkling for which assessment may be made.

OF LOCAL IMPROVEMENTS.

Deferred Installments.

278. Whenever an assessment for improvement or improvements payable in two or more installments, after the time for the payment of the first installment has expired, the council, by resolution, may authorize the sale and sale, in such manner and form as it may deem wise, of "Improvement Certificates of Indebtedness" against all installments, of the first installment, not yet paid and remaining unpaid, and to the extent of such installments. All such certificates shall be credited to a "Permanent Revolving Fund," and the collections of all assessments, interest, penalties and surcharges shall likewise be credited thereto, and all payments in the nature of the cost of any improvement which an assessment is levied for shall be paid therefrom. Nothing shall prevent the issuance and collection of certificates to cover several assessments, without the enumeration of such assessments. Such certificates shall, in the order of their issue, be a first lien upon all the moneys in said Permanent Revolving Fund, and the general credit of the city is pledged for all and any deficiency or deficiencies, in case such moneys shall be insufficient to pay such certificates in full, and that it shall at all times maintain the said revolving fund so that it shall be sufficient to meet all demands on the same at maturity. The council, by resolution, is authorized and authorized to issue and additional certificates or bonds, or appropriations to maintain such revolving fund in a condition to meet demands upon it for the payment of certificates at maturity. Such bonds shall not be issued to exceed a term of (20) years, nor shall exceed five per cent per annum for interest, and shall not be sold for less than the accrued interest. Such certificates shall be in the same form as certificates hereinbefore provided, however that the total of all such certificates shall not at any time exceed five per cent of the total assessed value of real property in the city.

sidewalk shall be done under the supervision and direction of the said commissioner of public works, and the said commissioner of public works shall charge a uniform fee, to be fixed by the council, by resolution, to cover the cost of such supervision and direction, which fee shall be paid into the city treasury. Such owner, having complied with the foregoing requirements within the time aforesaid, shall be exempt from any assessment on account of such improvement aforesaid. In case the said owner shall fail to comply with the aforesaid requirements and within the time aforesaid, the said commissioner of public works shall give written notice to the contractor aforesaid to proceed with such work as directed by said final order, and the property of such owner shall be assessed therefor to the extent of such benefits, and such owner shall also forfeit such fee aforesaid.

CHAPTER XV. THE PURCHASING DEPARTMENT. Purchasing Department.

Sec. 283. There is hereby created a Purchasing Department to be under the management and control of the Purchasing Agent, appointed by the mayor with the approval of the council.

Employees: Appointment of.

Sec. 284. Subject to the provisions of this charter, the Purchasing Agent may appoint a Deputy Purchasing Agent, who shall not be subject to the civil service rules, and such other assistants and employees as the council shall authorize and at such compensation as it shall fix.

Powers: General.

Sec. 285. The Purchasing Agent shall purchase, procure and contract for all articles, supplies and other portable goods, including printed matter not otherwise provided for in this charter, for the use of the council, and each and every officer and department of the city, subject to the provisions of this charter and the ordinances enacted in pursuance thereof.

Appropriation Limits.

Sec. 286. But no purchase shall be made, liability incurred or contract let under the preceding section, except upon the written certification by the comptroller that an appropriation or appropriations have been made therefor by the council and sufficient thereof remains unexpended to pay for the same.

Requisitions.

Sec. 287. Except as herein otherwise provided, all purchases shall be made or contract let only upon the written requisition therefor by the officer or department demanding same.

Sec. 288. With the consent of the council, the Purchasing Agent may himself requisition the entire appropriation, or so much thereof as may be advisable, at such time and in such manner as the council shall prescribe, of each and every officer and department remaining at any time unexpended.

Bulk-buying.

Sec. 289. The council shall, by an administrative ordinance, authorize contracts for and purchases of such supplies as it may deem advisable, in bulk, for the use of any and all officers and departments, for the entire year or part thereof, and at such times and in such quantities as it may deem advantageous and shall prescribe the mode of delivery, inspection, storage and distribution of the same.

Patented Articles.

Sec. 290. The purchasing agent with the consent of the council and the comptroller, may purchase or contract for, without advertisement and competitive bids, such articles which by reason of a patent or copyright are sold only at a uniform price and where in such cases no advantage can be secured by competitive bids.

Emergencies.

Sec. 291. In case of an emergency, where failure to act promptly will work an injury to the city, the purchasing agent, with written consent of the comptroller and mayor, and the consent of the council may purchase supplies to any amount without advertisement and competitive bids.

Annual Statement of Supplies.

Sec. 292. Not later than the first

reference to the standard specifications, the time and place for the filing and opening of bids. All formal bids shall be made on forms provided by the purchasing agent, shall state the price, the quantity and quality of each article bid on, and shall be sealed, but may be as to one or all of the articles named in the advertisement and shall also be filed at the time and place therein designated. All bids shall be publicly opened by the purchasing agent at the time and place named in the advertisement in the presence of the mayor and the comptroller or their representatives and such other persons as may be present.

Rejection of Bids.

Sec. 298. The purchasing agent may reject all bids and that of any person, with the consent of the mayor, who has failed to perform a previous contract with the city, and shall reject all bids containing any alteration or erasures. In case of the rejection of all bids, the council may authorize the purchasing agent either to re-advertise or purchase such article or articles in such other manner, subject to this charter, as it may prescribe.

Awards.

Sec. 299. All awards of contracts upon formal bids shall be made to the lowest responsible bidder, but no award shall be made until all bids have been tabulated and submitted to the departments interested therein for their advice.

Inspection of Goods.

Sec. 300. No goods, supplies or other articles shall be used or consumed by any officer or department until the same shall have been duly inspected as to quantity and quality by the comptroller and subject to such other rules and regulations as the council, by an administrative ordinance, may prescribe.

Sales of Materials.

Sec. 301. The purchasing agent shall sell all material, supplies and other personal property belonging to the city which is not available for use or which is condemned, when so condemned by any officer or department and upon certification by the comptroller and council, by an administrative ordinance, shall prescribe. All monies realized from such sales shall forthwith be deposited with the treasurer to the account of the department for which such sale was made.

Permanent Improvements and Repairs.

Sec. 302. Whenever any officer or department shall require the purchase of any real estate, the erection of any building or buildings or other public improvement, except as otherwise herein provided, such officer or department shall report to the council an estimate of the cost of such improvement together with sketch plans and such other data as to give in full detail the nature thereof, the amount and estimated value of the land needed, if any, and a statement, certified by the comptroller, of the funds available, or the manner in which such funds may be provided. If the council approves such project, it shall, by ordinance, order the same to be made and provide funds therefor in accordance with the provisions of this charter.

Purchase of Lands.

Sec. 303. All lands required hereunder may be acquired either by condemnation or by purchase at a private sale. When feasible the same shall be secured by private sale by a committee on lands, composed of the mayor, the purchasing agent and the head of the department requiring the same, which committee shall secure options directly or through agents on any suitable land or lands, and report the total cost of securing such land and all other facts to the council. The council shall promptly authorize the purchase of such land or lands as it deems suitable or cancel said options. The cost of securing said options shall not exceed one per cent of the value of the land to be purchased. In case that suitable land cannot be secured at a reasonable price by purchase, the council shall direct that condemnation proceedings be instituted, under the provisions of this charter, to secure the land needed.

CHAPTER XVI.

CONTRACTS AND CONTRACTORS' BONDS.

Contracts Let to the Lowest Bidder.

Sec. 308. Except as otherwise provided in this charter, all contracts for work to be done for the City of St. Paul or any department thereof, or for the purchase of supplies or property of any kind, shall be let to the lowest reliable and reasonable bidder, reserving the right to reject all bids.

Not Otherwise Specified.

Sec. 309. All contracts not otherwise provided for in this charter shall be let by the council.

Plans and Specifications.

Sec. 310. Unless otherwise herein provided plans and specifications for buildings to be erected for the City of St. Paul or any department, bureau or activity thereof shall be prepared under the direction of the commissioner of Parks, Playgrounds and Public Buildings; all plans and specifications for engineering work shall be prepared under the direction of the commissioner of public works. All other plans and specifications shall be prepared as in this charter otherwise provided, or where not provided for shall be prepared as the council shall direct.

Advertisement for Bids.

Sec. 311. Advertisements for bids shall be prepared by the purchasing agent under such regulations as the council by ordinance may prescribe.

Bonds or Checks with Bids.

Sec. 312. Bonds or certified checks shall accompany all bids, in such form as the council may by ordinance prescribe.

Opening Bids.

Sec. 312a. All bids shall be opened in the presence of the comptroller or his representative, the purchasing agent and the head of the department most directly concerned in the contract.

Bids Filled.

Sec. 312b. All bids shall be properly filled by the purchasing agent.

Award of Contracts.

Sec. 313. Unless otherwise provided for in this charter, all contracts involving less than \$5,000 shall be awarded by the persons charged with the opening of the bids, and such contracts shall not require confirmation by the council. Where more than \$5,000 is involved, the award shall be made in the same manner and by the same persons, but it shall not be complete, and it shall be of no effect to bind the city unless approved by the council by resolution.

Form: Drafting.

Sec. 314. The council shall by ordinance provide the manner in which contracts shall be drafted and submitted for approval, provided that all such contracts be in triplicate, one copy to go to the department most interested, one to the comptroller and one to the party contracting with the city.

Comptroller Not to Sign Until Money is Provided.

Sec. 315. No contract shall be signed by the comptroller until provision shall have been made for sufficient money in the appropriate fund to meet the indebtedness incurred by such contract, except leases and contracts for public lighting and heating, where such contracts and leases are herein authorized for longer periods than one year, and excepting also contracts for public improvements the cost of which is to be paid by assessment against the property benefited.

Execution of Contracts.

Sec. 316. All contracts and leases shall be executed on behalf of the City of St. Paul by the mayor, comptroller and city clerk. The head of the department to which the contract or lease pertains shall also execute the same and the corporate seal shall be attached thereto.

Delivery to Contractor.

Sec. 317. Until a certified copy of a fully executed contract is delivered to the contractor it shall not bind the city, nor shall any claim thereunder be approved or paid by the city.

Re-advertising.

Sec. 318. Bids may be re-advertised for under such conditions and restrictions as the council may by ordinance provide.

Contractor's Liability.

Sec. 319. Any contractor who accepts a contract under this charter

shall, in the order of their priority, be a first lien upon all the property of the city. The said Permanent Improvement Fund, and the general credit of the city is pledged to the payment of any deficiency or default in case such moneys shall be insufficient to pay such certificate, full, and that it shall at all times maintain the said revolving fund on the same as maintained by the council, by resolution, and authorized to issue and national certificates or bonds, or appropriations to maintain such fund in a condition to meet demands upon it for the payment of bonds at maturity. Such bonds shall be issued to exceed a term of (20) years, nor shall exceed five per cent per annum for interest, and not be sold for less than the accrued interest. Such certificates shall be in the same form as certificates hereinbefore provided. Each certificate shall be made on a date to exceed three months from the day of its issuance. The rate of interest shall not exceed (6) per cent per annum, payable annually, and no certificate provided shall be sold at less than and accrued interest. Such certificates may be issued in such amounts as the council shall provide. However that the total of all such certificates and shall not at any time exceed five per cent of the total assessed value of real property in said city for taxation.

Improvement, for which an assessment may be levied and which will be the issuance of such certificates. Nothing herein shall prevent the making of any improvement the assessment shall be payable in installments. All the proceeds of the sale of local improvement bonds now held by said city as provided in Section 267 shall be employed to fund and carry out the installments delinquent assessments and when the council shall from time to time provide sufficient funds by appropriation. Any surplus funds shall be invested in improvement certificates of interest.

SIDEWALKS.
Proposals: Orders.
It shall be the duty of the commissioner of public works to prepare proposals to be published in the paper in the same manner and at the same time as for other improvements, for the construction and repair of such sidewalks. The council shall be notified by the commissioner of public works of the proposed work for the construction and repair of sidewalks, and for one or more contracts for the construction, repair and relaying of sidewalks of brick, stone, cement or other material or materials. The council shall be notified of such assessment shall be levied. The council shall pass an order for the construction and relaying of any sidewalk. The commissioner of finance shall transcribe of such order to the contractor who shall proceed to comply with such order, except as otherwise provided. The final order of the council shall describe definitely the work to be constructed, related or as the case may be.

Assessments Therefor.
The said commissioner of public works shall, as soon as practicable after the construction, repair or relaying of such sidewalks report to the commissioner of finance, the cost thereof, including inspection thereof, as he can ascertain the same. The commissioner of finance shall proceed to assess such cost and to the necessary cost of such assessment upon lots or parcels of land benefited by such improvement upon the basis of the frontage of such lot or parcel of land and thereafter the procedure for such assessment and the enforcement thereof shall be the same as in the case of assessments.

Private Laying of Sidewalks.
When the council shall pass a final order aforesaid, the owner of property where such sidewalk is to be constructed, repaired under such order, or as the case may be, such sidewalk in conformity with such order shall be constructed. Such owner electing so to do shall give written notice of such election to the commissioner of public works (10) days after the publication of such final order, and it shall be the duty of the said commissioner of public works to grant written permission so to do within thirty (30) days from and after a time specified in the permit. The said commissioner thereupon give prompt notice to the contractor of the work to be performed. The said work of laying, repairing or constructing such

Compulsory Requisitions.
Sec. 288. With the consent of the council, the Purchasing Agent may himself requisition the entire appropriation, or so much thereof as may be advisable, at such time and in such manner as the council shall prescribe, of each and every officer and department remaining at any time unexpended.

Bulk-buying.
Sec. 289. The council shall, by an administrative ordinance, authorize contracts for and purchases of such supplies as it may deem advisable, in bulk, for the use of any and all officers and departments, for the entire year or part thereof, and at such times and in such quantities as it may deem advantageous and shall prescribe the mode of delivery, inspection, storage and distribution of the same.

Patented Articles.
Sec. 290. The purchasing agent with the consent of the council and the comptroller, may purchase or contract for, without advertisement and competitive bids, such articles which by reason of a patent or copyright are sold only at a uniform price and where in such cases no advantage can be secured by competitive bids.

Emergencies.
Sec. 291. In case of an emergency, where failure to act promptly will work an injury to the city, the purchasing agent, with written consent of the comptroller and mayor, and the consent of the council may purchase supplies to any amount without advertisement and competitive bids.

Annual Statement of Supplies.
Sec. 292. Not later than the first day of January of each year, the purchasing agent shall transmit to the council a full and complete statement of all the kinds of supplies and articles and the quantity thereof ordered during the preceding year as nearly accurate as the same can be estimated, together with a statement of the approximate time when such shall be needed. Such statement shall merely be for the guidance of the purchasing agent and shall not take the place of any requisition therefor.

DUTIES OF PURCHASING AGENT.

Purchase Standard Articles.
Sec. 293. The Purchasing Agent shall make all purchases and let all contracts in accordance with the provisions of the charter and ordinances enacted in pursuance thereof, for standard articles and upon standard specifications, unless patented articles are demanded or the same is impracticable, to which fact the comptroller shall certify.

Price Records.
Sec. 294. He shall maintain a price record both from purchases made and of current quotations in such manner as may be prescribed by the comptroller with the approval of the council by administrative ordinance.

Accounting Methods.
Sec. 295. He shall perform such duties relative to the approval of claims, the keeping of accounts, stock records, and other accounting procedure as the comptroller with the approval of the council by an administrative ordinance may prescribe, and also perform such other duties as by this charter, and administrative ordinances enacted in pursuance thereof, may be imposed upon him.

STANDARDIZATION OF SUPPLIES, SPECIFICATIONS AND CONTRACTS.

Commission: Powers.
Sec. 296. There is hereby created a commission, composed of the mayor, the comptroller and the purchasing agent, which shall have the power to establish from time to time standards for each and every officers and departments; to make or cause to be made any test, examination or analysis necessary therefor; to require the assistance of any and all officers and departments therefor; to frame or cause to be framed full, proper and uniform specifications, terms of contracts, and to provide penalties for the failure of any officer or department to use the same. All of the foregoing shall be done with the consent and approval of the council by and through an administrative ordinance. All standards or samples thereof shall be in the custody of the purchasing agent.

Contracts: Advertisements, Bids and Awards.

Sec. 297. All contracts and purchases of supplies are hereby divided into the following classes:

(a) **Informal Purchases.** All purchases or contracts under the sum of one hundred (\$100.00) dollars shall be made in such manner and from such persons as the purchasing agent may determine.
(b) **Informal bids.** All contracts and purchases of one hundred (\$100.00) dollars and not to exceed five hundred (\$500.00) dollars shall be made upon such informal bids or proposals, not less than two, as the purchasing agent may determine or may be filed with him, and shall be awarded to the lowest responsible bidder by the purchasing agent. Notice of such proposed purchase shall be posted in the office of the purchasing agent for not less than one day.

(c) **Formal Bids.** All purchases or contracts in excess of the sum of five hundred (\$500.00) dollars shall be made only upon competitive sealed bids and after advertisement therefor in the official newspaper for at least once a week for two successive weeks. Such advertisement shall state the kind and quantity of articles desired, and the quality thereof either in full or by ref-

building or painting of otherwise improvement, except as otherwise hereinafter provided, such officer or department shall report to the council an estimate of the cost of such improvement together with sketch plans and such other data as to give in full detail the nature thereof, the amount and estimated value of the land needed, if any, and a statement, certified by the comptroller, of the funds available, or the manner in which such funds may be provided. If the council approves such project, it shall, by ordinance, order the same to be made and provide funds therefor in accordance with the provisions of this charter.

Purchase of Lands.

Sec. 303. All lands required hereunder may be acquired either by condemnation or by purchase at a private sale. When feasible the same shall be secured by private sale by a committee on lands, composed of the mayor, the purchasing agent and the head of the department requiring the same, which committee shall secure options directly or through agents on any suitable land or lands, and report the total cost of securing such land and all other facts to the council. The council shall promptly authorize the purchase of such land or lands as it deems suitable or cancel said options. The cost of securing said options shall not exceed one per cent of the value of the land to be purchased. In case that suitable land cannot be secured at a reasonable price by purchase, the council shall direct that condemnation proceedings be instituted, under the provisions of this charter, to secure the land necessary.

Erection of Buildings.

Sec. 304. (a) **Sketch Plans.** Whenever the erection of any building is contemplated either by the council or any commissioner, then the commissioner of parks, play-grounds and public buildings upon written request, shall prepare, as soon as practicable, any and all sketch plans and other data therefor.

(b) **Complete Plans and Specifications.** When any such improvement has been authorized, the council shall direct the commissioner of parks, play-grounds and public buildings to prepare or cause to be prepared complete plans, estimates of cost and specifications therefor. Under the direction of the commissioner aforesaid, the city architect shall frame all plans and specifications and make estimates of cost for all public buildings and superintend the construction thereof. The council may, however, authorize the said commissioner to employ a consulting or designing architect to aid in such work at such compensation as it shall fix. All plans and specifications shall be prepared and approved in the manner provided for in the chapter on parks, play-grounds and public buildings in this charter, as modified by this section.

(c) **Construction of Buildings.** (1) By Contract. The committee on public buildings shall direct the purchasing agent to advertise for proposals in accordance with the provisions of this charter for the construction of said building at a fixed price to be named by the bidder, and (2) upon the basis for the construction of the said building by the said bidder upon force or cost account, which latter bid shall contain the cost thereof as estimated by the bidder and the per cent of the cost demanded by the bidder for construction and superintendence. It is hereby made the duty of the commissioner of parks, play-grounds and public buildings to submit an estimate for such construction work.

Subject to the approval of the council, the said committee authorized by this charter to open said bids shall award the contract for such improvement upon the basis of a fixed price either upon the basis of force or cost account and percentage, or it may reject all bids and readvertise, or it may recommend that the commissioner of parks, play-grounds and public buildings perform such work.

(2) **Construction of Buildings.** By City Department. Whenever in the judgment of the council, the construction of any building can be more economically done by the city, either before or after the submission of proposals therefor, it shall direct the commissioner of parks, play-grounds and public buildings to do such work for the department requiring the same upon the basis of force or cost account, but no percentage for construction shall be allowed.

Repairs to Buildings.

Sec. 305. Any and all repairs, replacements or alterations to any building or buildings, the cost of which shall exceed the sum of five hundred (\$500.00) dollars or the work of which shall not be done and performed by the employees and department shall be made in the manner hereinbefore prescribed for new construction work.

Gratuities.
Sec. 306. Neither the purchasing agent nor any person in the purchasing department shall accept any commission, gift, or present from any vendor or his agent with whom the city may have any dealings. Violations hereof shall constitute a misdemeanor, and forfeiture of such office or employment.

Council Regulations.

Sec. 307. The council may, by an administrative ordinance or ordinances, provide other and further rules and regulations for the conduct and government of the purchasing department.

contracts shall be drafted and submitted for approval, provided that all such contracts be in triplicate, one copy to go to the department most interested, one to the comptroller and one to the party contracting with the city.

Comptroller Not to Sign Until Money is Provided.

Sec. 315. No contract shall be signed by the comptroller until provision shall have been made for sufficient money in the appropriate fund to meet the indebtedness incurred by such contract, except leases and contracts for public lighting and heating, where such contracts and leases are herein authorized for longer periods than one year, and excepting also contracts for public improvements the cost of which is to be paid by assessment against the property benefited.

Execution of Contracts.

Sec. 316. All contracts and leases shall be executed on behalf of the City of St. Paul by the mayor, comptroller and city clerk. The head of the department to which the contract or lease pertains shall also execute the same and the corporate seal shall be attached thereto.

Delivery to Contractor.

Sec. 317. Until a certified copy of a fully executed contract is delivered to the contractor it shall not bind the city, nor shall any claim thereunder be approved or paid by the city.

Readvertising.

Sec. 318. Bids may be readvertised for under such conditions and restrictions as the council may by ordinance provide.

Contractor's Liability.

Sec. 319. Any contractor who accepts a contract under said conditions shall be personally and directly responsible for any and all loss, damage or injury to person or property by reason of the neglect or failure of himself or any one of his employees so to perform said work as to guard against all loss, damage or injury to person or property, and shall guard such work by suitable guards by day and by lights at night, so as to prevent any such loss, damage or accident.

Contractor's Bond.

Sec. 320. Except as otherwise provided in this charter no contract shall be valid for any purpose until the contractor who is a party thereto shall file a bond with sufficient sureties and in proper form to protect the city fully and protect all persons who shall furnish said contractor with work, service or material in the carrying out of said contract. The council shall by proper ordinance give effect to this provision. Provided that neither the council nor any officer shall by any act release any bondsman from liability upon such bond until the contract which it is intended to guarantee shall be completed and fully carried out and all obligations thereunder or in any way appertaining thereto shall be met. All persons connected in any way with the carrying out of said contract whether as employe, laborer, material man, or in any other manner whatsoever shall be considered a party in interest for the purpose of invoking the protection of such bond.

Additional Bond.

Sec. 321. An additional bond may be required whenever the council on recommendation of the city officer immediately interested on behalf of the city in the work, may see fit, or where such additional bond may be recommended by the comptroller.

Affidavit of the Payment of Claims.

Sec. 322. No estimate under any contract shall be paid by the City of St. Paul until the contractor files with the comptroller an affidavit that all claims for all work and labor to date have been paid.

Assignment of Contract.

Sec. 323. Any assignment of any contract in which the city is interested or to which the city is a party shall make it null and void and the city may at once take control of the work and relet it as it may see fit, or may proceed to complete the same at the expense of the contractor, and his bondsmen.

CHAPTER XVII.

DEPARTMENT OF PUBLIC WORKS.

Composition.

Sec. 324. There is hereby created a Department of Public Works which shall be composed of the bureaus of Engineers, Sanitation, Construction and Repairs, Bridges, Corrections and General Administration, and, subject to the charter and enactments in pursuance thereof, the same shall be under the full and complete control, direction and management of the commissioner of public works.

BUREAU OF ENGINEERS.

Composition.

Sec. 325. The said commissioner of public works shall be the chief engineering officer of the city and subject to the charter and the enactments in pursuance thereof, shall name and appoint the following officers and employes who shall be and constitute the bureau of engineers:

A chief engineer for a term of two years from and after his appointment and until his successor is appointed and at an annual salary not to exceed five thousand (\$5,000) dollars.

Such engineers, surveyors, draughtsmen and other employes as the council, by an administrative ordinance, shall provide and at such compensation as it shall fix.

Duties.

Sec. 326. The said bureau shall draught all plans, sketches, profiles for all public improvements, not otherwise provided for, make all surveys,

ats, and other data made pre- secured by said department or eyes shall be the property of . He may transfer any em- temporarily from one bureau to or require any employe of to perform duties for another. ll have charge and direction of cial quarries, works, and other s for the construction and lay- macadam, asphalt and other of paving material, cement gravel pits and other works for ing of cement stone or blocks, other artificial stone for side- or any other material used in struction of repair work to be y said commissioner, or the board, or any other department au of said city; any and all ap- s, works or facilities for the ing, repairing, constructing, ing, any sewer, street, alley, or public highway, or bridge, and lection of and disposal of any e or other waste material.

shall grant such permits or privi- in the streets, alleys and other places as the Council by ordi- shall authorize him to grant on such conditions as it may be, and supervise the exercise shall perform such other duties exercise such other powers as the l may grant and prescribe.

348. No employe or officer of department shall, during such of his employment, perform any e or do any work, except for the department or the city. No engi- surveyor or other skilled officer plye, shall at any time perform service for compensation or gratui- reward for any other person or s, but shall give and devote all orts and time to said department e city.

Rules and Regulations.
349. The said commissioner have the power, subject to the oval by the Council, by an admini- tive ordinance to make such rules regulations for the government of said department or any of the aus thereof as the said commisa- may deem necessary and wise.

349A. Said Commissioner of io Works shall prepare plans, fications and estimates for all k provided for in this chapter and chapter of this charter on local im- vements (Chapter XIV) and said s shall be approved by the Council e any work shall be done under n. After any such improvement e been ordered, said Council shall e bids to be received therefor on basis of said contractor furnishing labor and material for said work specified sum; also on the basis e force account, said contractor to ve a certain percentage of cost e for carrying on the work. Said ell may let said contract as it see fit or it may reject all bids e order said Commissioner of Public ks to secure the necessary ma- l through the Purchasing Agent vided for in this charter, and per- in said work by day labor. In either said work shall be paid for as in e charter provided and said commi- er shall have general charge there- . The Council shall by proper ordi- ce give effect to this section.

CHAPTER XVIII DEPARTMENT OF PUBLIC SAFETY.

Composition.
Sec. 350. There is hereby created a eartment of public safety which shall e composed of the bureaus of police, e fire protection, of health, of police e fire alarm telegraph, and of gen- e administration, and subject to the arter and enactments in pursuance e thereof, the same shall be under the e and complete control, direction and e management of the commissioner of e public safety.

Commissioner's Powers and Duties.
Sec. 351. Upon recommendation of e said commissioner the council shall s an administrative ordinance del- ing and creating in detail the or- gization and arrangement of the e- partment and each and every bur- eaf, covering the transaction of all e affairs thereof, and of such bureaus e rules and regulations for the man- e agement and government of the depart- e-

shall ex-officio be the Chief Police and Peace Officer of the city, and subject to the charter and enactments in pur- suance thereof, shall appoint the of- ficers and employes hereinafter named, who shall constitute and be the Bureau of Police:

A Chief of Police, at a salary not to exceed \$4,000.00 per annum, and for a term of two years from and after his appointment and until his successor is appointed.

A License Inspector, at a salary to be fixed by the council, and for a term of two years from and after his appoint- ment, provided, however, that the points of appointments above shall be made with the approval of the council.

Such Captains, Lieutenants, Detect- ives, Patrolmen and such other employes as the council, by an adminis- trative ordinance, shall provide, includ- ing one or more women to be detailed for special work as police officers, and at such compensation as it shall fix, provided, however, that there shall be no more than one lieutenant and two sergeants for each police station.

Such surgeons and other employes and at such compensation as the coun- cil shall likewise provide and prescribe for the maintenance and operation of a police ambulance.

Such special policemen and watch- men, who shall serve without pay and who shall have all the authority con- ferred upon policemen in the regular service and who shall be subject to all the rules and regulations prescribed for such special policemen and watch- men and who shall not be subject to the civil service provisions of this char- ter.

Powers of Police.
Sec. 357. The Chief of Police and all members of the Bureau of Police shall possess the power of Constables at common law and such powers conferred by statutes of this state, and shall have power to pursue and arrest any person fleeing from justice in any part of the state, provided, however, that no mem- ber of the said Bureau of Police shall go outside the limits of the city in pursuit of any offender or to execute any warrant or process, except in cases where an offense is committed within the said city.

All Councilmen, the Mayor, and all members of the Bureau of Police shall be officers of the peace and may com- mand peace, suppress in a summary manner all rioting and disorderly con- duct within the limits of the city, and for such purpose may command the assistance of all bystanders, and, if necessary, of all citizens and all com- panies of the National Guard of Min- nesota; and if any citizen, bystander, military officer or private of said Guard shall refuse, when so required, to main- tain the peace, such person shall for- feit and pay a fine of fifty (\$50.00) dol- lars. In cases where the military power may be required to suppress riot or disorderly conduct or preserve the peace, the mayor, a commissioner, a lieutenant or superior officer of the police force, if present, shall direct all proceedings, and if none such is present, then the superior military officer present shall direct all proceedings.

Municipal Court Officers.
Sec. 358. All powers conferred upon the Mayor and the police force by gen- eral or special law relating to the Mun- icipal Court, are hereby conferred upon and imposed upon the Commissioner of Public Safety and the Bureau of Police.

License Inspector.
Sec. 359. Except as otherwise pro- vided by law and this charter, the License Inspector under the direction and control of the said commissioner, shall enforce all payments of all licenses, money payable to said city and report all violations of license laws.

Eligibility.
Sec. 360. No person shall be appoint- ed a police officer who is not an elector of the city under thirty-five years of age, able to read and write and speak English, and who is not in good health and whose physique as established by a physi- cal examination, but this condition shall not apply to the Chief of Police, De- tectives, Special Policemen and Watch- men, women officers as above authoriz- ed, Matrons and License Inspector or Bailiffs of Municipal Court.

General Duties.
Sec. 361. It shall be the duty of the said Commissioner and the Bureau of

tection, or when engaged in any duty imposed by this charter or enactments in pursuance thereof, or in actual serv- ice of fire prevention and fire exting- uishment all firemen and employes of said bureau shall have the power of policemen, provided, however, that all officers of the Bureau shall at all times have such powers.

Fire Chief: Powers.
Sec. 369. The Fire Chief or the su- perior officer of the Bureau present shall have full control of all persons present at fires and shall have power, if need be, to summon any and all per- sons present to aid in extinguishing any fire, to remove personal property from any burning structure and in guarding the same, and any person re- fusing so to do shall be guilty of a mis- demeanor. Such person shall also have power to order or cause the removal or destruction of any building, structure or obstruction for the purpose of check- ing or extinguishing any fire.

Eligibility.
Sec. 370. No person shall be appoint- ed a fireman unless he possess the same qualifications herein required for policemen, provided, however, that this shall not apply to the Chief, Assistant Chief or other positions requiring a technical knowledge.

Additional Duties.
Sec. 371. The Council, by ordinance, may impose further powers and duties on the Bureau of Fire Protection, any of its officers and employes.

BUREAU OF HEALTH.

Composition.
Sec. 372. The Commissioner of Public Safety, shall, ex-officio, be the chief health officer of the city, and subject to the charter and enactments in pur- suance thereof, shall appoint the of- ficers and employes hereinafter named, who shall be and constitute the Bureau of Health.

A health officer, who shall be a duly licensed physician of not less than five years practice, and at a salary not to exceed four thousand (\$4,000.00) dol- lars per annum.

A deputy health officer, who shall be a duly licensed physician of not less than three years practice, and at a salary not to exceed two thousand, five hundred (\$2,500.00) dollars per annum.

Both of the above officers shall be ap- pointed with the consent of the Coun- cil, and each shall hold office for a term of two years from and after their appointment and until their successors are appointed.

Such other officers, physicians, in- spectors, assistants and other employes as the council, by an administrative ordinance, may provide and at such compensation as it shall fix.

General Health Powers.

Sec. 373. The Council on recommen- dation of the said Commissioner, shall, by ordinance, give the said Commis- sioner and said Health Officer such powers and impose upon them such duties as will enable them fully to pro- tect the public health and the sanitary condition of the city. Such Health Of- ficer shall also be the sanitary adviser of all city officers. Said Commissioner, by and through the Bureau of Health shall have the power of abating any nuisance upon such notice and by such methods as the Council, by ordinance shall prescribe; shall have the power of controlling or taking measures to con- trol all contagious, infectious diseases, within the city; to placard all infected houses and buildings; shall have full charge of such small-pox or detention hospitals as said city may establish or has established; and in case of pesti- lence or epidemic, actual or impending, take such measure as he may, in good faith, deem necessary to insure the public health or safety. Said Commissioner shall take such measures as in the opinion of the Health Officer, may be necessary to prevent the spread of small-pox or other contagious and in- fectious disease; he shall have the power to quarantine, placard and dis- infect any house or building or order it to be done; close the same until so dis- infected; and subject to the approval of the council, he may order all boats, trains, and other conveyances bring- ing persons or goods to the city to be quarantined and compel person or cor- porations operating the same to take such steps as may be necessary to pro- tect the public health. It shall be the duty of said commissioner to see to it that all persons so quarantined shall proper medical attendance.

the County Auditor the amounts so charged against such premises, lots and places together with a description of the premises and the supposed owner thereof as nearly as practicable, and such charge shall be collected and col- lection enforced in the same manner as taxes against the said premises. Such charges shall be a perpetual lien on said premises until paid. Provided, how- ever, that where no owner, occupant or agent can be found or the same is un- known, then said Commissioner may proceed without such notice.

Employes: Policemen.

Sec. 376. Every officer and employe of the Bureau of Health, in the per- formance of any duty imposed by law, this charter, ordinances in pursuance thereof, or any order or direction of the Commissioner or the Health Officer shall have and be vested with all the powers of a policeman.

PUBLIC BATHS.

In Charge.

Sec. 376. The Commissioner of Pub- lic Safety, as chief health officer of the city, shall manage, control and super- vise the public baths on Harriet island and the grounds, buildings and insti- tutions connected therewith and ad- jacent thereto.

Appoint Employes.

Sec. 377. He shall appoint and re- move, subject to the charter and ordi- nance in pursuance thereof, all such assistants and employes and at such compensation as the council, by an ad- ministrative ordinance, shall provide and prescribe.

Rules.

Sec. 378. With the consent of the Council, by administrative ordinance, he shall make and enforce rules and regu- lations to govern the use of such baths and the buildings and grounds apper- taining thereto.

FOOD INSPECTION: HOTELS AND RESTAURANTS.

Sec. 379. The Commissioner of Public Safety shall administer and enforce all laws and ordinances relating to the in- spection of milk, meats and other food substances, and also all laws and ordi- nances relating to the inspection of hotels and restaurants, tenements and lodging houses. The Council shall have power by ordinance to make effective the duties in this section prescribed, and to compel by proper penalties all dealers to conform to such regulations as shall fully protect the public health.

PUBLIC COMFORT STATIONS.

Sec. 380. The Commissioner of Public Safety shall supervise and control the maintenance and operation of all public comfort stations; appoint and remove all such attendants and employes therefor as the council by an adminis- trative ordinance may provide and at such compensations as it may prescribe, and with the consent of the council make, prescribe and enforce all rules and regulations for the orderly public use thereof.

BUREAU OF POLICE AND FIRE ALARM TELEGRAPH.

Composition.

Sec. 381. The said Commissioner of Public Safety shall be the head and in full charge and control of the Bureau of Police and Fire Alarm Telegraph, and which shall be composed as follows:
A Superintendent of the said bureau, who shall possess such qualifications as the council shall prescribe, and at such compensation as it shall fix, and such other employes, operators, linemen as the council shall provide and at such compensation as it shall determine; all of whom are to be appointed in accord- ance with the provisions of the charter and enactments in pursuance thereof.

Powers and Duties.

Sec. 382. The said Bureau shall have full charge, management and control of the construction, maintenance and operation of the telegraph, telephone and alarm systems of the Department of Public Safety, and shall have such powers and duties as the Council, by administrative ordinance, shall provide and prescribe.

BUREAU OF GENERAL ADMINIS- TRATION.

Composition.

Sec. 383. The said Commissioner of Public Safety shall be the head of the Bureau of General Administration, which shall be composed as follows:
A Chief Clerk, and such accountants, Clerks, and other employes as the Council, by an administrative ordinance, may provide, of such qualifications as it

Sec. 369. The Fire Chief or the su- perior officer of the Bureau present shall have full control of all persons present at fires and shall have power, if need be, to summon any and all per- sons present to aid in extinguishing any fire, to remove personal property from any burning structure and in guarding the same, and any person re- fusing so to do shall be guilty of a mis- demeanor. Such person shall also have power to order or cause the removal or destruction of any building, structure or obstruction for the purpose of check- ing or extinguishing any fire.

Employes: Policemen.

Sec. 376. Every officer and employe of the Bureau of Health, in the per- formance of any duty imposed by law, this charter, ordinances in pursuance thereof, or any order or direction of the Commissioner or the Health Officer shall have and be vested with all the powers of a policeman.

PUBLIC BATHS.

In Charge.

Sec. 376. The Commissioner of Pub- lic Safety, as chief health officer of the city, shall manage, control and super- vise the public baths on Harriet island and the grounds, buildings and insti- tutions connected therewith and ad- jacent thereto.

Appoint Employes.

Sec. 377. He shall appoint and re- move, subject to the charter and ordi- nance in pursuance thereof, all such assistants and employes and at such compensation as the council, by an ad- ministrative ordinance, shall provide and prescribe.

Rules.

Sec. 378. With the consent of the Council, by administrative ordinance, he shall make and enforce rules and regu- lations to govern the use of such baths and the buildings and grounds apper- taining thereto.

FOOD INSPECTION: HOTELS AND RESTAURANTS.

Sec. 379. The Commissioner of Public Safety shall administer and enforce all laws and ordinances relating to the in- spection of milk, meats and other food substances, and also all laws and ordi- nances relating to the inspection of hotels and restaurants, tenements and lodging houses. The Council shall have power by ordinance to make effective the duties in this section prescribed, and to compel by proper penalties all dealers to conform to such regulations as shall fully protect the public health.

PUBLIC COMFORT STATIONS.

Sec. 380. The Commissioner of Public Safety shall supervise and control the maintenance and operation of all public comfort stations; appoint and remove all such attendants and employes therefor as the council by an adminis- trative ordinance may provide and at such compensations as it may prescribe, and with the consent of the council make, prescribe and enforce all rules and regulations for the orderly public use thereof.

BUREAU OF POLICE AND FIRE ALARM TELEGRAPH.

Composition.

Sec. 381. The said Commissioner of Public Safety shall be the head and in full charge and control of the Bureau of Police and Fire Alarm Telegraph, and which shall be composed as follows:
A Superintendent of the said bureau, who shall possess such qualifications as the council shall prescribe, and at such compensation as it shall fix, and such other employes, operators, linemen as the council shall provide and at such compensation as it shall determine; all of whom are to be appointed in accord- ance with the provisions of the charter and enactments in pursuance thereof.

Powers and Duties.

Sec. 382. The said Bureau shall have full charge, management and control of the construction, maintenance and operation of the telegraph, telephone and alarm systems of the Department of Public Safety, and shall have such powers and duties as the Council, by administrative ordinance, shall provide and prescribe.

BUREAU OF GENERAL ADMINIS- TRATION.

Composition.

Sec. 383. The said Commissioner of Public Safety shall be the head of the Bureau of General Administration, which shall be composed as follows:
A Chief Clerk, and such accountants, Clerks, and other employes as the Council, by an administrative ordinance, may provide, of such qualifications as it

may provide, of such qualifications as it

contractor furnishing material for said work... also on the basis of the cost of the work. Said contractor shall be paid for the work on the basis of the cost of the work. Said contractor shall be paid for the work on the basis of the cost of the work.

ARTICLE XVIII. OF PUBLIC SAFETY.

Composition.

There is hereby created a public safety which shall consist of the bureaus of police, health, of police telegraph, and of fire, and subject to the enactments in pursuance of this charter, and the control, direction and management of the same shall be under the direction of the commissioner of public safety.

Powers and Duties.

On recommendation of the commissioner the council shall have power to determine in detail the arrangement of the departments and every bureau of the public safety, and of each bureau, and to determine the regulations for the management of the same, and to determine the powers and duties of the commissioner of public safety, and of every bureau of the public safety, and of every officer and employee of the public safety, and to determine the compensation of the commissioner of public safety, and of every officer and employee of the public safety, and to determine the compensation of the commissioner of public safety, and of every officer and employee of the public safety.

Hearings.

The said commissioner shall have power to hold public hearings on any matter relating to the public safety, and to receive and consider evidence in support of or in opposition to any proposed ordinance, and to make recommendations thereon to the council.

Police and Fire Districts.

The said commissioner shall have power to divide the city into police and fire districts, and to determine the boundaries of such districts, and to determine the powers and duties of the police and fire districts, and to determine the compensation of the police and fire districts, and to determine the compensation of the police and fire districts.

Custody of Property.

All property of every description belonging to and under the control of the public safety shall be in the custody of the commissioner of public safety, and he shall be responsible for the safe-keeping of the same, and for the preservation of the same, and for the preservation of the same, and for the preservation of the same.

Death in Service.

On the recommendation of the commissioner, the council may allow to any fireman, or other employee of the public safety, who shall be killed in the performance of his duty, such compensation or gratuity as may be deemed just, and in all cases where any person shall be killed in the performance of his duty, the council may provide for the payment to the widow, children or any next of kin of the deceased, of a sum not to exceed \$40,000 per annum, and in all cases where any person shall be killed in the performance of his duty, the council may provide for the payment to the widow, children or any next of kin of the deceased, of a sum not to exceed \$40,000 per annum.

Composition.

The said Commissioner

shall refuse, when so required, to maintain the peace, such person shall forfeit and pay a fine of fifty (\$50.00) dollars, and in cases where the military power may be required to suppress riot or disorderly conduct, the mayor, a commissioner, a lieutenant or superior officer of the police force, if present, shall direct all proceedings, and if none such is present, then the superior military officer present shall direct all proceedings.

Municipal Court Officers.

All powers conferred upon the Mayor and the police force by general or special law relating to the Municipal Court, are hereby conferred upon and imposed upon the Commissioner of Public Safety and the Bureau of Police.

License Inspector.

Except as otherwise provided by law and this charter, the License Inspector under the direction and control of the commissioner shall enforce all payments of all licenses, money payable to said city and report all violations of license laws.

Eligibility.

No person shall be appointed a police officer who is not an elector of the city under thirty-five years of age, able to read and write and speak English, and who is not in good health, as determined by a physician, and who is not in good health, as determined by a physician, and who is not in good health, as determined by a physician.

General Duties.

It shall be the duty of the Commissioner and the Bureau of Police to enforce all the laws of the State of Minnesota and the ordinances of the city and arrest violators thereof, and to report the condition of all public lights and sidewalks and any violation of the health and sanitary laws and ordinances as well as of the rules and regulations of the Bureau of Health.

Disposition of Weapons.

The Commissioner of Public Safety, subject to the provisions of this charter, may provide for the sale, destruction or other disposition of all weapons, apparatus, implements and other articles used in the commission of crime or coming into the custody of said bureau, provided, however, that where such may be used as evidence in either a civil or criminal proceeding, the same shall in no way be disposed of except upon a written order of a court of record.

Lost or Stolen Property.

Where lost or stolen property shall come into the hands of said bureau, and be not claimed, identified, or the true owner be not found, then the said commissioner shall cause the same to be sold by the Purchasing Agent after ten (10) days notice of such sale in the official paper, and the proceeds therefrom shall be deposited in the treasury of said city to the credit of said bureau.

Gratuities.

Any members of the Bureau of Police who shall accept from any person, while in custody, or after he shall have been discharged, or from any of said person's friends, or from any person any gratuity, reward or description of drink, or who shall receive from any person without the written consent of the said Commissioner any reward for the arrest of any person or the recovery of any goods, or money compensation for injuries sustained, shall be removed from such service and shall be otherwise punished. Such punishment shall be and constitute a permanent public record.

Park Police.

Nothing herein contained shall be deemed to give the Commissioner of Public Safety or the Bureau of Police any jurisdiction over the police organized and maintained by the Department of Parks, play-grounds and public buildings.

Bureau of Fire Protection.

The said Commission of Public Safety shall be ex-officio Fire Marshal and head of the Bureau of Fire Protection, and subject to the charter and enactments in pursuance thereof, shall name and appoint the officers and employees hereinafter named, who shall be and constitute the Bureau of Fire Protection: A Fire Chief for a term of two years from and after his appointment and until his successor is appointed and at an annual salary not to exceed four thousand (\$4,000.00) dollars; the appointment of said chief shall be subject to confirmation by the City Council.

An Assistant Chief for a term of two years from and after his appointment and until his successor is appointed, and at an annual salary not to exceed two thousand (\$2,000.00) dollars a year. Such Battalion Chiefs, Captains, Lieutenants, Engineers, and other employees, as the Council, by an administrative ordinance, shall provide and at such compensation as it shall fix.

Police Powers.

When acting under the direction of the said Commissioner, or any officer of the Bureau of Fire Pro-

tection, Sec. 373. The Council on recommendation of the said Commissioner, shall, by ordinance, give the said Commissioner and said Health Officer such powers and impose upon them such duties as will enable them fully to protect the public health and the sanitary condition of the city. Such Health Officer shall also be the sanitary adviser of all city officers. Said Commissioner, by and through the Bureau of Health shall have the power of abating any nuisance upon such notice and by such methods as the Council, by ordinance shall prescribe; shall have the power of controlling or taking measures to control all contagious, infectious diseases, within the city; to placard all infected houses and buildings; shall have full charge of such small-pox or detention hospitals as said city may establish or has established; and in case of pestilence or epidemic, actual or impending, take such measures as he may, in good faith, deem necessary to insure the public health or safety. Said Commissioner shall take such measures as in the opinion of the Health Officer, may be necessary to prevent the spread of small-pox or other contagious and infectious disease; he shall have the power to quarantine, placard and disinfect any house or building or order it to be done; close the same until so disinfected; and subject to the approval of the council, he may order all boats, trains, and other conveyances bringing persons or goods to the city to be quarantined and compel person or persons to remain the same on board such conveyance until they are free from the public health danger, and that all persons so quarantined shall receive proper medical attendance, nursing, food, and quarters, and shall be discharged therefrom and what precautions shall be taken before their discharge for the protection of the public health; and shall keep at such quarantine the orders of said Commissioner and the Health Officer. Said Commissioner, with the approval of the Council, shall have power to establish, equip and maintain such quarantine stations, hospitals and other buildings as may be necessary for the preservation of the public health. He shall provide proper blanks and forms for all returns and data for vital statistics, and shall secure a proper registry of births, deaths and other necessary statistics within said city. He shall cause to be vaccinated free of charge and give certificates thereof to all persons applying therefor. Said Commissioner shall have the power of abating and correcting any condition considered by said Health Officer to be detrimental to the public health and the sanitary condition of the city. He shall enforce all state laws relating to the public health and shall have full sanitary control of all places and institutions within the city and may require from all persons in administrative control of hospitals, asylums, dispensaries, prisons, schools, theatres and other places of amusement or recreation to make such reports as may aid in making safer the public health. It is hereby made the duty of every physician and midwife within said city to report in such manner as the Commissioner may direct, all births and with such other facts deemed pertinent by said Commissioner, and all physicians shall register and report in such form as may be prescribed by said Commissioners, all deaths of which he has knowledge, within twenty-four hours after he has learned of said deaths. The Coroner shall report to the said Commissioner within forty-eight hours after it is completed the result of any inquest. All physicians shall report in such manner as the said Commissioner shall direct all cases of contagious diseases. Said Commissioner, with the approval of the council, shall make such regulations and rules as may be necessary for the internment and removal of all dead bodies. Said Commissioner shall have jurisdiction over all lakes and water courses in Ramsey County to the same extent as though located within the city.

The Council, by proper ordinances, shall make effective and define in detail all powers and duties hereinbefore imposed and granted, and such other powers and duties as may be necessary to conserve the public health. All persons whatever violating the provisions of the charter or ordinances enacted in pursuance thereof, all rules and regulations of the bureau of health concerning the public health and sanitation, or who shall interfere with any health officer in the performance of his duties shall be guilty of a misdemeanor and shall be subject to a fine not to exceed one hundred (\$100.00) dollars or imprisonment not to exceed ninety (90) days, or both.

Removing Nuisances.

Sec. 374. The Council, by ordinance, may empower the said Commissioner to remove and abate or cause the same to be removed or abated, any nuisance, any substance, matter, condition or thing, which said Commissioner may regard as dangerous to the health or as impairing the sanitary condition or good order of the city, being or lying in any street, alley, water, excavation, building, erection, place, lot or grounds and may designate a place to which the same may be removed. He shall serve a notice on the owner, occupant or agent of any lot, building or premises aforesaid ordering the things aforesaid to be removed therefrom within such time as the Council shall by ordinance prescribe, and that in case of non-compliance the same will be done by the said Commissioner at the expense of the owner of said premises. The said Commissioner shall, after such time has expired, proceed to remove such things aforesaid, determine the cost thereof, charge the owner and the premises therewith and not later than the 1st day of October of each year, certify to

BUREAU OF POLICE AND FIRE ALARM TELEGRAPH.

Composition.

Sec. 381. The said Commissioner of Public Safety shall be the head and in full charge and control of the Bureau of Police and Fire Alarm Telegraph, and which shall be composed as follows: A Superintendent of the said bureau, who shall possess such qualifications as the council shall prescribe, and at such compensation as it shall fix, and such other employees, operators, linemen as the council shall provide and at such compensation as it shall determine; all of whom are to be appointed in accordance with the provisions of the charter and enactments in pursuance thereof.

Powers and Duties.

Sec. 382. The said Bureau shall have full charge, management and control of the construction, maintenance and operation of the telegraph, telephone and alarm systems of the Department of Public Safety, and shall have such powers and duties as the Council, by administrative ordinance, shall provide and prescribe.

Composition.

Sec. 383. The said Commissioner of Public Safety shall be the head of the Bureau of General Administration, which shall be composed as follows: A Chief Clerk, and such accountants, clerks, stenographers, messengers, and other employees, as the Council shall prescribe, and at such compensation as it shall fix, and all of whom shall be appointed by the Commissioner aforesaid in accordance with the charter.

Powers and Duties.

Sec. 384. Such bureau shall have charge of all the accounting and fiscal operations of the aforesaid department and shall have such other powers and duties as the council, by an administrative ordinance, shall grant and prescribe.

CHAPTER XIX. COMMISSIONER OF EDUCATION.

To Establish and Maintain Schools.

Sec. 385. Under the direction and control of the council, the Commissioner of Education shall establish, control, maintain and provide for the public schools, the public school system and the general educational interests of the City of St. Paul as a special school district, and shall manage and control the property real and personal belongings to said city which is used for the purposes of education, subject only to the provisions and limitations provided for in this charter.

Powers of Commissioners.

Sec. 386. Under the direction and control of the Council the Commissioner of Education shall have power to establish, control and maintain kindergartens, grade schools, high schools, manual training schools, evening schools, a training school for the teachers, truant schools, and such other schools as may from time to time be necessary to establish.

Under the direction and control of said council, said commissioner shall appoint supervisors, principals, teachers, one or more medical inspectors and nurses, one or more truant officers, janitors, engineers, firemen, and such other employees as may be necessary for the proper conduct and maintenance of said schools and of said real and personal property of said district.

Under the direction and control of said council, said commissioner shall prescribe text books and courses of study, purchase or arrange for the purchase of text books and provide for the loan thereof to needy pupils or for the sale thereof at cost, and may change text books whenever deemed necessary for the best interests of the school, subject to the limitations and provisions of this charter.

Shall Make Rules and Fix Duties and Salaries.

Sec. 387. It shall be the duty of said Commissioner to prepare in the form of an ordinance rules and regulations for the proper transaction of the business of the schools, defining the duties of its officers and employes and fixing the number, titles and compensation of said employes, and for the proper execution of all powers vested in and duties imposed upon said Commissioner by this charter. As soon as he shall have prepared said ordinance he shall present it to the Council, and said Council shall pass said ordinance after having amended it as it may see fit.

Inspector Shall Turn Over School to Commissioner.

Sec. 388. As soon as the first Commissioner of Education provided for in this charter is selected and qualified the Board of School Inspectors of the City of St. Paul shall turn over to said Commissioner all the property, books, records and documents in their hands, and thereupon said Commissioner shall succeed to all rights, powers and duties of said Board of School Inspectors subject to the provisions of this charter, and all lawful contracts and agreements entered into and all obligations legally incurred by said Board of School Inspectors, shall be in all respects the contracts, agreements and obligations of the said Commissioner of Education subject to the provisions of this charter. The terms "special school district" or school district whenever used in this charter shall be construed to be identical with the terms "independent school

district" and "school district of the City of St. Paul," whenever said terms are used in any previous charter or law.

Shall Appoint a Superintendent.

Sec. 389. Subject to the approval of the Council said Commissioner shall appoint a Superintendent of Schools who shall be a graduate in good standing of a university or college of educational standard equal to the University of Minnesota, and who shall have devoted the five years immediately preceding his appointment to teaching or to the management of public schools. He shall receive a salary of \$5,000 a year payable out of the school funds of the city in equal monthly installments. His term of office shall be two years and until his successor is appointed and has qualified.

Appointment of Assistants, Office Employees and Teachers.

Sec. 390. On nomination by said Superintendent, said Commissioner of Education shall appoint all assistants to said Superintendent, all office assistants to said Superintendent, all Principals and all teachers in the public schools, all of whom shall be subject to removal by said Commissioner on his own motion or on the complaint of said Superintendent, by the Mayor or by a two-thirds vote of the members elected to the council. Provided that however removed the officer making the removal shall state specific reasons therefor in writing and the person removed shall have an opportunity to reply in writing, and both reasons and reply shall become permanent public records of the office of the Commissioner of Education. All teachers and supervisors and assistants to the Superintendent, other than office assistants doing clerical work, shall meet the qualifications required by the State of Minnesota for teachers of like grades in other public schools. It is the intent of this charter that unless removed for cause as above, such teachers and assistants once appointed shall serve during efficiency and good behavior. The Council may provide for probationary appointment previous to regular appointment, during which time the teacher or supervisor or assistant shall be subject to removal at the pleasure of the Commissioner of Education.

Superintendent of School Buildings.

Sec. 391. Said Commissioner of Education shall appoint a Superintendent of School Buildings who shall have a practical knowledge of architecture, building, lighting, heating, ventilation, plumbing and the machinery used for said purposes. He shall receive an annual salary of \$2,500 payable from the school funds of said city in equal monthly installments.

To Appoint Other Employees.

Sec. 392. Said Commissioner of Education shall appoint all janitors, assistant janitors, engineers, caretakers, laborers, mechanics and artisans of all description, necessarily employed in the care of school buildings and grounds. In fixing the compensation of said employees the Council shall see that it is not in excess of the union scale of wages paid by private employers for like services. The working day for each and all of said employees shall be eight hours, and except in cases of emergency, of which said Commissioner of Education shall be sole judge, none of said employees shall be required to work overtime, or shall receive any additional compensation for extra work.

Rules for Teachers.

Sec. 393. Said Commissioner shall cause to be prepared a complete code of specific rules governing the appointment of all teachers and principals in the schools, their examinations and other tests of fitness, their promotions, their work of teaching and administration of the schools. He shall submit said code in the form of an ordinance to the Council, and said Council shall examine and if necessary amend and amend said code, and after its adoption...

the police officers of the City of St. Paul to aid in the enforcement and carrying out of such rules and regulations.

Advisory School Board.

Sec. 398. Said Commissioner of Education shall appoint a resident of each ward of the City of St. Paul, more than 21 years of age, an Advisory School Inspector. Said Inspector shall have the power at all times to attend any and all sessions of the public schools of St. Paul, to observe the work in said schools, and to report to the Commissioner of Education the needs of the public schools in the ward for which said resident Inspector may be appointed. Said Advisory Inspectors shall be appointed in the June immediately following each regular spring election, and shall serve for two years and without pay. It shall be the duty of said Commissioner to call together in advisory session at least once a month in the offices of said Commissioner, the whole body of School Inspectors so appointed and to advise with them as to the needs of the schools and what may be done for their improvement, and to listen to any complaints, reports or recommendations which they may have to make. Said meetings shall be public. Minutes of said meetings shall be kept by a clerk assigned by said Commissioner for said purpose and shall become permanent public records in the office of said Commissioner. The powers of said inspectors shall be advisory merely and in visiting the schools they shall not interfere with the work of teachers or pupils therein.

Board of Teachers.

Sec. 399. It shall be the duty of the Council to provide, by ordinance for the election of a Board of Teachers of the public schools to consist of not more than twelve, not less than eight members, elected by secret ballot by the teachers and principals of the public schools. This Board of Teachers shall be called together by the superintendent of schools from time to time, not less than once a month to advise with said Superintendent and said Commissioner upon problems relating to the designation of proper text books, the adoption of course of study and the methods of teaching in the schools of St. Paul. Said meetings shall be public and records thereof kept as public records. Said Board of Teachers shall have power to pass resolutions and make recommendations upon subjects designated in this paragraph, but it is hereby declared that the adoption of such recommendations shall lie in the discretion of the Superintendent of Schools and the Commissioner of Education subject to the action of the council.

Public Libraries, Museums and Galleries of Art.

Sec. 400. The Commissioner of Education shall have the management and control, subject to the action of the Council, of all public libraries, reading rooms, museums and galleries of art, now belonging or hereafter acquired by the City of St. Paul, and of all property set apart for the use or maintenance thereof, and the control and expenditure, subject to the action of the city Council, and provisions of this charter and the laws of the state of all moneys, levied, collected or received for such purposes.

To Appoint Librarian.

Sec. 401. Subject to the approval of the Council, said Commissioner of Education shall appoint a Librarian at a salary not to exceed \$2,500 a year, who shall be a graduate of a university of educational standards equal to those of the University of Minnesota and who shall when appointed be familiar with library administration and practice. Said Librarian shall be the administrative officer of the Commissioner of Education in conducting public libraries, reading rooms, museums and galleries of art, under the jurisdiction of said Commissioner. Said Commissioner shall employ all assistants and employees necessary for the administration of said libraries, museums and galleries of art.

to twenty years, shall bear interest at not more than four per cent and shall not be sold below par.

Shall Be Forever Free.

Sec. 407. Every library, reading room, museum and gallery of art established or maintained under the charter shall be forever free to the use of the inhabitants of said city subject to such reasonable rules and regulations as may be prescribed under the authority granted in this charter by law, and said Commissioner of Education may exclude from the use of any such places any and all persons who shall violate such rules and regulations. Non-residents may be admitted to the privileges of said places upon such conditions as said Commissioner may prescribe, subject to the approval by the Council.

Shall Report to Council.

Sec. 408. Said Commissioner shall submit annually to the Council and to the Comptroller duplicate reports of the business of said libraries, museums, reading rooms and galleries of art, at such times and in such form and scope as the Council may direct.

Punishment for Defacing Property.

Sec. 409. The Council shall have power to pass ordinance imposing suitable penalties for the punishment of persons committing injury upon such library and other property under the management of said Commissioner, and belonging to said library, or in any manner connected with the use herein provided for.

Council to Fix Conditions.

Sec. 410. The Council by two-thirds vote shall define conditions upon which the city may accept donations of money or other property for the use of said library, museum, or galleries of art, provided that such regulations shall be subject to repeal or amendment in the same manner, and provided that all money or property so donated shall remain at all times in the control for the use of and under the direction of the public through its proper officers as designated in this charter.

Advisory Board.

Sec. 411. It shall be the duty of said Commissioner of Education to appoint twelve residents of St. Paul properly qualified for the place, one from each ward of the city, to serve a term of two years from August 1 of each year, in which shall be elected a Mayor and Council, and such persons so appointed in association with the Superintendent of the St. Paul schools, the principals of the high schools in the city, and a teacher elected by the whole body of teachers in the St. Paul schools in such a manner as the Council may direct shall act as an advisory library board. The members of said board shall meet at said library with said Commissioner of Education at least once a month and make such recommendations as they may consider will promote the best interests of said library. Said library, its branches, the art galleries, museums, etc., belonging to the city shall be open at all times to the members of said advisory board for their inspection in such manner as not to interfere with the legitimate work being carried on in these places. The members of said board shall especially be expected to recommend new books, papers and periodicals for said library, and how to make the resources of said library most profitably available to the public. Said recommendations when made by the board as a whole shall be in writing and be a permanent public record in the office of the Commissioner of Education. Whether said recommendations are acted upon or accepted shall remain in the discretion of said Commissioner of Education.

May Levy Taxes for Support.

Sec. 412. The Council is hereby authorized to levy and collect taxes and appropriate moneys and support of the proper maintenance and support of the libraries, museums and galleries of art.

vious year ending December 31. Said report shall be made in such form as the Comptroller with the approval of the Council may direct and must contain such matter as said Comptroller shall call for.

CHAPTER XX. COMMISSIONER OF PARKS, PLAY-GROUNDS AND PUBLIC BUILDINGS. Duties of the Commissioner.

Sec. 418. The Commissioner of Parks, Playgrounds and Public Buildings shall have the management and control under the limitations of this charter of all lands which have been or may be acquired for parks or parkways or playgrounds other than school playgrounds, within this city. He shall direct all expenditures from the park and playgrounds funds for the maintenance and improvement of parks and parkways and shall have power to provide, either directly or by lease of privileges approved by the Council, such conveniences, accommodations and entertainments as he may deem proper for the use, enjoyment or recreation of all persons visiting said parks or parkways or playgrounds.

May Acquire Lands.

Sec. 419. Said Commissioner, through the Council, may from time to time acquire lands in the manner set forth in this charter for the city for the use as parks, parkways or playgrounds. Said Commissioner, with the approval of the Council, may accept or receive donations of money or other property for the use of said city for purposes connected with such parks, parkways or playgrounds, on conditions determined by said council, provided that in the acceptance of such gifts said city shall not relinquish full control for any purpose whatsoever of said property.

May Set Apart Streets.

Sec. 420. The Council shall have power to set apart as a parkway any street or avenue or thoroughfare and any section thereof and to place the same under the supervision of said Commissioner for purposes consistent with the use of said street, avenue or thoroughfare as a highway, such as said Council may direct.

Expenditures From the Park Fund.

Sec. 421. All expenditures under the direction of said Commissioner, payment of which is not herein otherwise provided for, shall be paid from the park fund not otherwise appropriated, and all moneys received by said Commissioner from any source, where not herein otherwise directed, shall be paid into the city treasury to the credit of said fund. Assessments for the collection of park or parkway purposes shall be set apart and used only for the specific purposes for which they have been collected. All assessments on property owned by the City of St. Paul shall be paid out of the general fund of the City of St. Paul. Moneys of the park fund, when set apart for the purposes of paying damages awarded, shall be and remain in the city treasury until the assessments for the same purpose are collected by sale or otherwise, and shall then be applied with said assessments in payment of said damages, unless in this charter otherwise provided.

To Regulate Shores.

Sec. 422. Whenever the title shall have been acquired by said city for park purposes to land constituting the shores, of any stream, lake or pond, said Commissioner may with the approval of the Council, regulate and control the use of such shore and the water contiguous thereto, and in case such ownership shall embrace the entire shore of any such lake or pond, said Commissioner, subject to the Council, is vested with exclusive charge and control of the waters of such lake or pond and may in all things, under said direction, govern the use of the said waters. It shall be the duty of said Commissioner to prepare such rules as may be necessary for the regulation and control of such shores, and the Council shall give such rules such force and effect as the Council may determine. The Council may acquire or which hereafter be acquired for park purposes, shall not be alienated or diverted to other uses and shall remain forever for the use of all inhabitants of said city.

manner that state a collected in said co when collected the be paid monthly Ramsey County in treasury and shall used for the purpose intended. Any ex making said assess looked unless it w jury to the city of assessed, and it ma assessment by the

Care of

Sec. 430. Upon owners asking the Council may direct to cause trees to upon any street or property of said the cost of the sa collected and appl in the case of the as provided in the tion. Said Council Commissioner to a ter, and may, by vide that said for der the direction o charge, direction o trees bord ring p planting, care, re treatment when d cil may provide fo cost of such super property as in the grass plots as p roceding section.

Commissioner su

Sec. 431. Said C ex-officio buildi City of St. Paul. The Council he sh tent architect of years' practical e fession next prece to work under the missioner. Said a salary not exce

Duties of Sa

Sec. 432. It sha Commissioner to state and all ord St. Paul applyi said city, whel planning, constru pair, fire protect ter. For the pur laws or ordinan to employ such assistants and necessary, provid ordinance on the Commissioner, q salaries, qualifi service of said sistent with th charter.

Council Has P

Sec. 433. By ent with the l terms of this c adopt, repeal regulations, ru nances relating City of St. Pa of said ordinat amendment, sa viser of said C

Duties

Sec. 434. I duties as the sioner of Park lic Buildings Architect sha fications and rection of sa public buildi character wh St. Paul or b r officer the s missioner sha said plans to responsible fo funds with v be erected. I proval of sai them to the C prevail by re they shall be building in t meet with the responsible fo funds, he sha said Commissi grounds and p said Architect plans, and sa cause said A sections. If, d missioner of

To Appoint Other Employees.
Sec. 392. Said Commissioner of Education shall appoint all janitors, assistant janitors, engineers, caretakers, laborers, mechanics and artisans of all description, necessarily employed in the care of school buildings and grounds. In fixing the compensation of said employees the Council shall see that it is not in excess of the union scale of wages paid by private employers for like services. The working day for each and all of said employees shall be eight hours, and except in cases of emergency, of which said Commissioner of Education shall be sole judge, none of said employees shall be required to work overtime, or shall receive any additional compensation for extra work.

Rules for Teachers.
Sec. 393. Said Commissioner shall cause to be prepared a complete code of specific rules governing the appointment of all teachers and principals in the schools, their examinations and other tests of fitness, their promotions, their work of teaching and administration of the schools. He shall submit said code in the form of an ordinance to the Council, and said Council shall examine and if necessary revise and amend said code, and when suitable form shall adopt said ordinance. After its adoption said code shall be strictly followed in all business of said school to which it applies. Said ordinance shall be amended only in the manner in which it was originally adopted. Provided that the standard of education and practice required for teachers in said schools shall not fall below the standards set by the State Department of Education for similar schools elsewhere in Minnesota, nor below the best standards of other cities of the first class in Minnesota.

School Revenue: Limitation of Cost of Schools.

Sec. 394. Subject to the provisions of this charter and the laws of the state the Council shall have power to levy and collect general property taxes or other revenues and to appropriate money for the support of said schools, provided that the whole amount appropriated by said Council for all purposes whatsoever connected with the public schools shall not in any one year amount to a greater sum than \$6 for each inhabitant of the City of St. Paul. In determining the number of said inhabitants the figures of the last United States census of population of the City of St. Paul shall be taken as a basis, and for every year which has elapsed since the last United States census have been taken to the year in which said appropriations are made by said Council, there shall be added to the census figures one-tenth of the difference between the United States census figures for the last census year and the United States census figures taken next previous to that census. Provided further that the qualified voters of St. Paul by a three-fifths affirmative majority of all the votes cast upon the proposition may at any time appropriate any amount in addition to said limitation to be used for permanent buildings for said schools.

Shall Keep Records.

Sec. 395. It shall be the duty of the Commissioner of Education to keep or cause to be kept complete records of all attendance in the public schools with the names, ages, sex, places of residence, grade, etc. of all pupils attending said public schools, and a complete record of all teachers and principals in said schools with all essential facts as to qualifications, terms of service, assignments, efficiency, salaries, promotions, and such other facts as the council may prescribe, and to report within thirty days of the end of each school semester a summary in writing of all these facts to the comptroller and to the Mayor. He shall also keep or cause to be kept a complete and comprehensive record of all business transacted in connection with the public schools of said city, and the moneys received and disbursed in connection therewith, and all other essential facts, and shall report within thirty days after the close of each semester a summary of these facts for the semester just closed, to the Comptroller and to the Mayor. Said reports shall be made in such form as the Comptroller may prescribe, and said Commissioner shall attach to said report for the closing semester of each school year estimates in such form as the Comptroller may prescribe, of necessary expenses for the next succeeding year with definite recommendations in detail as to the objects for which the money shall be spent.

To Secure Supplies and Other Property.

Sec. 396. Said Commissioner shall procure supplies and equipment for said schools, and acquire sites for school buildings, and cause repairs to be made in such manner as this charter may provide, or the Council under the authority of this charter may designate.

For Care of Truants.

Sec. 397. The Council shall by ordinance on recommendation of said Commissioner, make such rules and provisions concerning children previously enrolled upon the registers of the public schools of the City of St. Paul and who have become habitual truants, and who are between the ages of eight and sixteen years as will reasonably tend to compel their attendance at said schools, and said Council may require, and it shall be the duty of all

Sec. 400. The Commissioner of Education shall have the management and control, subject to the action of the Council, of all public libraries, reading rooms, museums and galleries of art now belonging or hereafter acquired by the City of St. Paul, and of all property set apart for the use or maintenance thereof, and the control and expenditure, subject to the action of the city Council, and provisions of this charter and the laws of the state of all moneys, levied, collected or received for such purposes.

To Appoint Librarian.

Sec. 401. Subject to the approval of the Council, said Commissioner of Education shall appoint a Librarian at a salary not to exceed \$2,500 a year, who shall be a graduate of a university of educational standards equal to those of the University of Minnesota and who shall when appointed be familiar with library administration and practice. Said Librarian shall be the administrative officer of the Commissioner of Education in conducting public libraries, reading rooms, museums and galleries of art, under the jurisdiction of said Commissioner. Said Commissioner shall employ all assistants and employees necessary for the administration of said libraries, museums and galleries of art. The number, general duties and compensation of said employees or assistants shall be fixed by ordinance passed by the Council on recommendation of said Commissioner. Said Commissioner shall also appoint such janitors, caretakers and other employees as may be necessary for the care and maintenance of the buildings in which said libraries, museums and galleries of art are housed, but the number and character of said employees and their salaries shall be fixed by ordinance passed by the Council on recommendation of said Commissioner.

Shall Adopt Rules.

Sec. 402. Said Commissioner shall prepare and present to the Council in the form of an ordinance such rules and regulations as may be necessary or advisable for the administration of said libraries, museums and art galleries, and the properties thereto belonging. The Council shall consider, and may amend said ordinance and after putting it into proper form shall pass said ordinance, which shall not be inconsistent with this charter.

May Establish Branch Libraries.

Sec. 403. On recommendation of said Commissioner, the Council may by ordinance establish and maintain branch libraries, and may by lease, purchase or otherwise provide proper rooms or buildings for said branches.

Control of Expenditures.

Sec. 404. Subject to the action of the Council, said Commissioner shall have exclusive control over the expenditure of all moneys provided for the use of said libraries, museums or galleries of art, except as otherwise directed in this charter. He shall have the supervision, custody and care of all grounds and buildings, constructed, set apart, leased or in any other manner secured for the use of said libraries, museums and galleries of art.

Library Fund.

Sec. 405. All moneys appropriated, received or collected for the construction, repair or maintenance of public libraries, museums or galleries of art shall be deposited in the treasury of said city in a fund to be known as the "Library fund" which is hereby established, and shall be kept separate and apart from all other moneys of said city, and shall be paid out only upon proper vouchers approved and countersigned by said Commissioner of Education, and for purposes for which such moneys have been appropriated or received. All unexpended balances in said library fund at the end of any year shall remain in said fund and be available in the year following for the purposes for which said fund is intended. On recommendation of said Commissioner and under the provisions of this charter the Council shall have full power to authorize the purchase in the name of the City of St. Paul of ground, and to cause to be erected thereon a suitable building or buildings, for the use of said library, museum, and galleries of art. On recommendation of said Commissioner said Council shall have power to accept or in its discretion, decline donations tendered under the provisions of this charter. On recommendation of said Commissioner said Council shall have power to improve, lease or let any and all property set apart for the use of said library, or otherwise acquired for the purposes herein referred to upon such terms and conditions as it may deem best, and may authorize said Commissioner to deliver leases therefor. It may receive and support subscriptions for the benefit of said library fund.

May Finance Building.

Sec. 406. For the purpose of providing suitable library building, said Council shall have power to authorize a bond for any sum not exceeding one million dollars, provided that before any such issue shall be made it must be approved by an affirmative vote of the qualified electors of St. Paul voting upon such proposition at a general or special election. Said bonds may be issued upon the credit of the City of St. Paul or they may be secured by property belonging to said city set apart for library purposes, and said Council and said voters may authorize the pledging of said property for said purpose. The bonds shall be limited

in the St. Paul portion in which the Council may direct, shall act as an advisory library board. The members of said board shall meet at said library with said Commissioner of Education at least once a month, and make such recommendations as they may consider will promote the best interests of said library. Said library, its branches, the art galleries, museums, etc., belonging to the city shall be open at all times to the members of said advisory board for their inspection in such manner as not to interfere with the legitimate work being carried on in these places. The members of said board shall especially be expected to recommend new books, papers and periodicals for said library, and how to make the resources of said library most profitably available to the public. Said recommendations shall be in writing and be a permanent public record in the office of the Commissioner of Education. Whether said recommendations are acted upon or accepted shall remain in the discretion of said Commissioner of Education.

May Levy Taxes for Support.

Sec. 412. The Council is hereby authorized to levy and collect taxes and appropriate funds necessary for the proper maintenance and support of said library, or libraries, museums, and art galleries.

The Auditorium: Commissioner of Education in Charge.

Sec. 413. Under the direction of the Council the Commissioner of Education shall have control, management, and administration of the public auditorium and all property appertaining thereto. With the approval of said Council he shall appoint a superintendent to administer said building and property under the direction of said Commissioner. Said Commissioner shall prepare an ordinance fixing the duties and compensation of said Superintendent and of other necessary employees for the administration of said building and property, and shall present it to the Council. Said Council after such amendments as it may see fit shall pass ordinance. In the same way an ordinance shall be passed providing rules and regulations for the use of said building.

Auditorium Fund.

Sec. 414. There is hereby created an auditorium fund to which shall be credited all moneys heretofore or hereafter appropriated, donated or delivered from the operation of said auditorium, for the use of said auditorium, and to which shall be charged all disbursements on account of said building and the administration and maintenance thereof and the property appertaining thereto. Said Commissioner shall keep account of said fund in such manner as the Comptroller may direct. Said fund shall be kept separate and distinct from all other funds of said city. All surplus in said fund at the end of any year after the expenses of operation, maintenance, repairs and betterment for the year have been paid, shall be applied to the payment of the principal and interest of any indebtedness outstanding against said auditorium building.

To Be Self-Supporting.

Sec. 415. It shall be the duty of the Commissioner of Education and of the Council so to manage said auditorium building as to make it self-supporting, or as nearly so as practicable. Keeping this end in view said Council shall by ordinance or recommendation of said Commissioner fix scales of prices for the use of said auditorium and determine to what uses it shall be devoted, provided that such uses shall always be for the benefit of the public of St. Paul. It is the intention of this charter that distinction shall be made in determining scales of prices between persons who hire the use of the Auditorium for gain and those who engage it for gatherings or entertainments for which no admittance fee is charged. In no case shall the amount charged for the use of said building be less than the actual cost of heating, lighting and attendance occasioned by such use. The Council may, however, where the use is strictly for the public purpose of benefit to all the people of St. Paul, and where no admittance fee is charged, reimburse from the contingent fund, the Auditorium fund for such expenses, and provide at the time of making such appropriation for reimbursement that the use of said building shall be free.

May Receive Subscriptions.

Sec. 416. The Council is hereby authorized to receive bequests and donations and to receive and enforce subscriptions for property to be installed in or used in connection with the Auditorium building, or for the establishment or endowment of free lectures, free concerts, or for any other purpose of an educational nature free from sectarianism or political partisanship. It may act as special trustees for and on behalf of the City of St. Paul, may accept and administer any public trust consistent with the purpose of the Auditorium and not involving relinquishment of full control of said property whether in said trust or otherwise belonging to said city, and may maintain separate funds theretofore in the city treasury, subject to the supervision and audit of the comptroller.

Must Report Annually.

Sec. 417. Said Commissioner must each year before March 1 report to the Council and to the Comptroller fully upon the business and administration of said Auditorium for the next pre-

of the general purposes of the charter. Moneys for the purposes of and remain set apart for the purposes of and remain in the city treasury until the assessments for the same purpose are collected by sale or otherwise, and shall then be applied with said assessments in the payment of said damages, unless in this charter otherwise provided.

To Regulate Shores.

Sec. 422. Whenever the title shall have been acquired by said city for park purposes to land constituting the shores of any stream, lake or pond, said Commissioner may with the approval of the Council, regulate and control the use of such shore and the water contiguous thereto, and in case such shore shall embrace the entire shore of any such lake or pond, said Commissioner, subject to the Council, and with exclusive charge and control of the waters of such lake or pond and may, in all things, under said waters, govern the use of the said shore. It shall be the duty of said Commissioner to prepare such rules and control of such shores, and the Council shall give such rules effect, and the Council after making such amendments as the Council may see fit.

Not Alienate Lands.

Sec. 423. Lands which may hereafter be acquired for park purposes, shall not be alienated or diverted to other uses and shall for the use of all parks and parkways for the use of all inhabitants of said city.

Shall Prepare Rules.

Sec. 424. Said Commissioner shall prepare suitable rules to secure the proper use and enjoyment of parks, parkways and playgrounds by the people, and the Council shall, after amendment, embodying these rules, providing for their enforcement, fix proper penalties for their violation. Said ordinances shall be enforced by the proper city authorities, and fines collected for their violation shall be paid into the city treasury for the benefit of the park fund.

To Appoint Superintendent.

Sec. 425. Said Commissioner shall, with the approval of the Council, appoint a suitable superintendent of city parks, who shall be a skilled landscape architect or engineer, at a salary not to exceed \$4,000 a year, payable in equal monthly installments. Said Superintendent shall perform such duties as may be prescribed by said Commissioner. Said Commissioner may also appoint a secretary at a salary not to exceed \$2,000 a year, who shall also be accounting officer of said department and shall perform such other duties as said Commissioner may prescribe. Said Commissioner may cause to be kept in such form as may be directed by the Comptroller with the approval of the Council, a full and complete public record of all the business of said department, and a complete account of its funds. He shall make a complete report of said business in detail in such form as said Comptroller may direct, to said Comptroller and to the Council through the Mayor not later than March 1 of each year of the business of the next preceding.

May Appoint Police Officers and Other Park Employees.

Sec. 426. Upon the recommendations of said Commissioner the Council shall provide for the appointment by said Commissioner of such park police officers as may be necessary to preserve public order and care for public property in city parks and playgrounds, and also such other employees as may be needed, and said Council shall fix the number and compensation thereof, provided that no employee of this department shall receive greater compensation for the same or similar work than is paid in other city departments. All salaries and wages, shall be paid out of said park or playground funds. All policemen appointed as provided for in this section shall possess all the common law and statutory power of Constables, and any warrants for search or arrest issued by any magistrate or court of record in Ramsey County, may be executed by such policeman in any part of said county.

Laying of Sewer, Etc.

Sec. 427. The Council shall have the same jurisdiction and power with respect to the laying of water mains and sewers along the parkways and parks and playgrounds in said city as it has in respect to laying the same in and along the public streets, and the same proceedings for levying and collecting special assessments for sewers along such streets shall apply to the levying and collecting of the same for sewers laid along the parks, parkways or playgrounds.

Acquire Without the City Limits.

Sec. 428. Said city may acquire by gift without the corporate city limits, for park, playground or parkway purposes any land or lands, and shall possess the same powers and jurisdiction over said parks, parkways or playgrounds as if they were located within the city limits.

Care of Grass Plots.

Sec. 429. Under conditions which may be fixed by the Council by ordinance, said Commissioner may, on petition of property owners assume charge of grass plots maintained along any street, and the cost of caring for said plots may be assessed upon the abutting property. Said Council may certify such assessment to the auditor of Ramsey County in such manner as the Council may designate, and on such certification said auditor shall collect such assessment in the same

City of said ordinance amendment. Viser of said Dut

Sec. 434. Duties as the sioner of Public Building Architect specifications and reaction of public building character w St. Paul or or officer s missioner s said plans responsible funds with be erected. provol of them to the provol by they shall building in meet with responsible funds, he said Com grounds a Arch plans, and Public Building well taken to move said hand, said sioner of Public Buildings of he shall n upon said missioner s the object of the Ar which shall order said plans prepar manner be said Council tory to the by it.

Arch Sec. 435. erection of as provided missioner s superintendent building. stioner shall tect such sary, provi fix the num their comp

Sec. 436. to construct within before beam m plans missioner s structure, ately upon said Comm be examining cause a work, on may by jected the pointed of persons w and no p said plans remove sa

Sec. 437. the Council missioner s all buildi City of St form to s ordinances For the term bul structure private p Paul. In the term significant power to building charter a ponalties in general ordinance in the Cit, main all other

To Sec. 43 said Cor charge of playground St. Paul, to public duty to s best adva which the mendation Council proper r ment of provide a Council s provide p said ordi

To S Sec. 43 of the said sele posed of one of act w missioner and use of said Com said board

ST. PAUL REVIEW.

to twenty years, shall bear interest at not more than four per cent and shall not be sold below par.

Shall Be Forever Free.

Sec. 407. Every library, reading room, museum and gallery of art established or maintained under this charter shall be forever free to the use of the inhabitants of said city subject to such reasonable rules and regulations as may be prescribed under the authority granted in this charter by law, and said Commissioner of Education may exclude from the use of any such places any and all persons who shall violate such rules and regulations. Non-residents may be restricted to the privileges of said libraries upon such conditions as said Commissioner may prescribe, subject to the approval by the Council.

Shall Report to Council.

Sec. 408. Said Commissioner shall submit annually to the Council and to the Comptroller duplicate reports of the business of said libraries, museums, reading rooms and galleries of art, at such times and in such form and scope as the Council may direct.

Punishment for Defacing Property.

Sec. 409. The Council shall have power to pass ordinance imposing suitable penalties for the punishment of persons committing injury upon such library and other property under the management of said Commissioner, and for injury or failure to return any book belonging to said library, or in any manner connected with the use herein provided for.

Council to Fix Conditions.

Sec. 410. The Council by two-thirds vote shall define conditions upon which the city may accept donations of money or other property for the use of said library, museum, or galleries of art, provided that such regulations shall be subject to repeal or amendment in the same manner, and provided that all money or property so donated shall remain at all times in the control for the use of and under the direction of the public through its proper officers as designated in this charter.

Advisory Board.

Sec. 411. It shall be the duty of said Commissioner of Education to appoint twelve residents of St. Paul properly qualified for the place, one from each ward of the city, to serve a term of two years from August 1 of each year, in which shall be elected a Mayor and Council, of such persons so appointed in association with the Superintendent of the St. Paul schools, the principals of the high schools in the city, and a teacher elected by the whole body of teachers in the St. Paul schools in such a manner as the Council may direct, shall act as an advisory library board. The members of said board shall meet at said library with said Commissioner of Education at least once a month and make such recommendations as they may consider will promote the best interests of said library. Said library, its branches, the art galleries, museums, etc., belonging to the city shall be open at all times to the members of said advisory board for their inspection in such manner as not to interfere with the legitimate work being carried on in these places. The members of said board shall especially be expected to recommend new books, papers and periodicals for said library, and how to make the resources of said library most profitably available to the public. Said recommendations when made by the board as a whole shall be in writing and be a permanent public record in the office of the Commissioner of Education. Whether such recommendations are acted upon or not shall remain in the discretion of said Commissioner of Education.

May Levy Taxes for Support.

Sec. 412. The Council is hereby authorized to levy and collect taxes for the purpose of raising the necessary funds for the proper maintenance and support of libraries, or libraries, museums, and galleries.

Auditorium: Commissioner of Education in Charge.

vious year ending December 31. Said report shall be made in such form as the Comptroller with the approval of the Council may direct and must contain such matter as said Comptroller shall call for.

CHAPTER XX.

COMMISSIONER OF PARKS, PLAYGROUNDS AND PUBLIC BUILDINGS.

Duties of the Commissioner.

Sec. 413. The Commissioner of Parks, Playgrounds and Public Buildings shall have the management and control under the limitations of this charter of all lands which have been or may be acquired for parks or parkways or playgrounds other than school playgrounds, within this city. He shall direct all expenditures from the park and playgrounds funds for the maintenance and improvement of parks and parkways and shall have power to provide, either directly or by lease of privileges approved by the Council, such conveniences, accommodations and entertainments as he may deem proper for the use, enjoyment or recreation of all persons visiting said parks or parkways or playgrounds.

May Acquire Lands.

Sec. 419. Said Commissioner, through the Council, may from time to time acquire lands in the manner set forth in this charter for the city for the use as parks, parkways or playgrounds. Said Commissioner, with the approval of the Council, may accept or receive donations or money or other property for the use of said city for purposes connected with such parks, parkways or playgrounds, on conditions determined by said Council, provided that in the acceptance of such gifts said city shall not relinquish full control for any purpose whatsoever of said property.

May Set Apart Streets.

Sec. 420. The Council shall have power to set apart as a parkway any street or avenue or thoroughfare and any section thereof and to place the same under the supervision of said Commissioner for purposes consistent with the use of said street, avenue or thoroughfare as a highway, such as said Council may direct.

Expenditures From the Park Fund.

Sec. 421. All expenditures under the direction of said Commissioner, payment of which is not herein otherwise provided for, shall be paid from the park fund not otherwise appropriated, and all moneys received by said Commissioner from any source, where not herein otherwise directed, shall be paid into the city treasury to the credit of said fund. Assessments collected for park or parkway purposes shall be set apart and used only for the specific purposes for which they have been collected. All assessments on property owned by the City of St. Paul shall be paid out of the general fund of the City of St. Paul. Moneys of the park fund, when set apart for the purposes of paying damages awarded, shall be and remain in the city treasury until the assessments for the same purpose are collected by sale or otherwise, and shall then be applied with said assessments in payment of said damages, unless in this charter otherwise provided.

To Regulate Shores.

Sec. 422. Whenever the title shall have been acquired by said city for park purposes to land constituting the shores of any stream, lake or pond, said Commissioner may with the approval of the Council, regulate and control the use of such shore and the water contiguous thereto, and in case such ownership shall embrace the entire shore of any such lake or pond, said Commissioner, subject to the Council, is vested with exclusive charge and control of the waters of such lake or pond and may govern the use of the said waters. It shall be the duty of said Commissioner to prepare such rules as may be necessary for the regulation and control of such shores, and the Council shall give such shores effectiveness by ordinance such rules, and such amendments as the Council may see fit.

Not Alienate Lands.

Sec. 423. Lands which may have been acquired or which hereafter may be acquired for park purposes, shall not be alienated or diverted to other uses and shall remain forever for the use of all inhabitants of said city.

manner that state and county taxes are collected in said county and state, and when collected the amount thereof shall be paid monthly by the treasurer of Ramsey County into the St. Paul city treasury and shall be set aside to be used for the purpose for which it was intended. Any error or irregularity in making said assessment shall be overlooked unless it works substantial injury to the city or to some person assessed, and it may be corrected by re-assessment by the Council.

Care of Trees.

Sec. 430. Upon petition of property owners asking that it be done, the Council may direct said Commissioner to cause trees to be planted along or upon any street or alley upon which the property of said petitioners abuts and the cost of the same may be assessed, collected and applied in all respects as in the case of the care of grass plots as provided in the last preceding section. Said Council may authorize said Commissioner to appoint a City Forester, and may, by proper ordinance, provide that said Forester shall have, under the direction of said Commissioner, charge, direction and control over all trees bordering public highways, their planting, care, removal, trimming and treatment when diseased. Said Council may provide for the assessing of the cost of such supervision to the abutting property as in the case of the care of grass plots as provided in the last preceding section.

Commissioner ex-Officio Building Inspector.

Sec. 431. Said Commissioner shall be ex-officio building inspector of the City of St. Paul. With the approval of the Council he shall appoint a competent architect of not less than five years' practical experience in his profession next preceding his appointment, to work under the direction of said Commissioner. Said Architect shall receive a salary not exceeding \$4,000 a year.

Duties of Said Commissioner.

Sec. 432. It shall be the duty of said Commissioner to enforce all laws of the state and all ordinances of the City of St. Paul applying to buildings within said city, whether relating to their planning, construction, maintenance, repair, fire protection, or any other matter. For the purposes of enforcing said laws or ordinances he shall have power to employ such inspectors and other assistants and employes as may be necessary, provided, the Council shall by ordinance on recommendation of said Commissioner, fix the number, title, salaries, qualifications and terms of service of said employes, not inconsistent with the provisions of this charter.

Council Has Power Over Regulations.

Sec. 433. By ordinance, not inconsistent with the laws of the state or the terms of this charter the Council may adopt, repeal or amend any and all regulations, rules, resolutions or ordinances relating to buildings within the City of St. Paul. In the preparation of said ordinances and their repeal and amendment, said Architect shall be adviser of said Council.

Duties of Architect.

Sec. 434. Besides performing such duties as the Council or the Commissioner of Parks, Playgrounds and Public Buildings may prescribe, said Architect shall prepare plans, specifications and estimates, under the direction of said Commissioner, for all public buildings of any and every character whatever by the City of St. Paul or by any department, bureau or officer thereof. Through said Commissioner said Architect shall submit said plans to the officer or department responsible for the expenditure of the funds with which said building is to be erected. If said plans meet the approval of said officer, he shall submit them to the Council, and after their approval by resolution of the Council, they shall be the official plans for the building in question. If they do not meet with the approval of the officer responsible for the expenditure of said funds, he shall point out in detail to said Commissioner of Parks, Playgrounds and Public Buildings and to said Architect, his objection to said plans, and said Commissioner shall cause said Architect to meet such objections. In the opinion of the Commissioner of Parks, Playgrounds and

month to receive suggestions of its members as to the administration of said parks and playgrounds and discuss any business relating to them, but he shall use his own discretion in carrying out such suggestions and shall be solely responsible for said administration. Said advisory board shall hold office for two years and until their successors are appointed and qualified. Each commissioner shall appoint such a board within sixty days of his assuming his duties as Commissioner. Members of said board shall have the right to the floor in the Council to be heard on park and playground business.

CHAPTER XXI.

Commissioner of Public Utilities.

Sec. 440. The Commissioner of Public Utilities shall be ex-officio a member of the Water Board of the City of St. Paul and shall be in general charge of the administration of the water department of said city under the direction of said board, except as otherwise provided for in this charter.

City Lighting.

Sec. 441. Said Commissioner shall have full charge and control under the direction of the Council, of the lighting of all streets, alleys, parks, levees, squares, playgrounds, public buildings and all other public places in said city or belonging to the City of St. Paul except as otherwise provided for in this charter.

Equipment.

Sec. 442. The Council shall have power at any time and it shall be the duty of said Council to furnish proper street lamps, posts, wires, and all other equipment necessary or desirable for the proper lighting mentioned in the last preceding section.

Commissioner to Bid on Lighting.

Sec. 443. When any lighting in this chapter provided for is about to be let by contract, said Commissioner shall bid upon said lighting in accordance with the specifications therefor, and if said Commissioner be the lowest bidder, said Commissioner shall be designated to perform said lighting under said contract. The amount of said bid shall be set apart by the Council for said lighting contemplated in said contract and said Commissioner shall be as strictly confined to the expenditures of said amount as would any contractor who had secured said contract, in carrying out of said contract.

Commissioner to Control Public Utilities.

Sec. 444. Subject to the Council, said Commissioner shall have full control of the regulation within said city of all telephone, telegraph, lighting, heating, power, street railway and other municipal transportation and all other public utilities services whatsoever which are subject to the control of said city government. He shall exercise such powers in accordance with ordinances passed by the Council upon his recommendation. All licenses, permits and all other privileges granted by said city to public utility owners or operators, their lessees or representatives, shall be first approved by said Commissioner. Said Commissioner shall have access at all reasonable times to the books, papers, machinery and equipment of all public utility owners, operators, lessees and their representatives doing business within the City of St. Paul and over which said city has any control or regulative power, for the purpose of making any inspection or ascertaining any facts in relation to said utilities or their operation, cost, prices, capitalization, profits, or any other fact relating to their business within the City of St. Paul.

Commissioner to Make Report.

Sec. 445. Not later than March 1st of each year said Commissioner shall make to the Mayor and Council a complete report upon the business of said utilities for the last preceding year ending the next previous December 31.

Commissioner in Charge of City Services.

Sec. 446. Said Commissioner shall have full administration of said

CHAPTER XXII. WATER DEPARTMENT. Board—Term—Officers.

Sec. 451. There is hereby created a Board of Water Commissioners composed of the Commissioner of Public Utilities, who shall be president thereof, the Commissioner of Finance and the Commissioner of Public Works. The City Clerk shall be the Secretary of such Board. Each of the aforesaid officers shall be an ex-officio member and officers of the said Board so long as they shall hold their respective offices.

A City Department.

Sec. 452. Except as herein modified or otherwise provided, the said board shall be, in all respects, a department of the City and shall likewise in all respects be subject and subordinate to all the provisions of this charter and the ordinances, administrative ordinance and resolutions enacted in pursuance thereof.

May Sue and Be Sued, Etc.

Sec. 453. Said Board of Water Commissioners may sue and be sued, plead and be impleaded, answer and be answered unto, appear and prosecute unto final judgment in any court or elsewhere in the name of said Board of Water Commissioners; have a common seal and alter the same at pleasure. They may prosecute any action in the name of said Board of Water Commissioners against any persons or person for money due for the use of water, for the breach of any contract, expressed or implied, touching the execution or management of the works or distribution of the water, or of any promise or contract made to or for them; and also for any injury or trespass or nuisance done or caused or procured to be done to the water courses, pipes, machinery, or any other apparatus belonging to or connected with any part of the works or for any improper use or waste of the water.

Extensions—New Sources of Supply—General Powers.

Sec. 454. With the approval by resolution of the Council, the said Board of Water Commissioners may from time to time for the purpose of furnishing a full supply of water to the inhabitants of the City of St. Paul, extend said water works, or make new lines of works, or draw water from any lake or creek by means of pipes, ditches, drains, conduits, aqueducts, or other means of conducting water so as to connect said lakes or creeks with said works, and may erect and construct dams, bulkheads, gates and other needed structures and means for controlling water and its protection, and in general to do any other act necessary or convenient for accomplishing the purpose contemplated by this charter.

Special Laws.

Sec. 455. The following sections and provisions of Chapter 110, Special Laws 1885, are hereby continued in full force; adopted herein and made part of this charter, as if specifically re-enacted, to-wit:

Method of Procedure of Extending Works.

Sec. 7. Whenever at any time said Board shall propose to extend its said works so as to connect with any of said lakes or creeks, or to divert the water of any stream, creek or body of water, it shall proceed as follows: Said Board shall cause to be made a survey of the line along which the works so propose to extend, and the property to and of all land, drainage or be affected, and for that purpose it may, by its officers and agents, enter upon any lands doing no unnecessary damage thereto. After such survey shall have been made and such line located, it shall cause to be made a map showing the location of said line and the lands necessary to be taken for such extension, and of lands or other property to be affected by flowage, drainage or otherwise. Said map shall be acknowledged by the surveyor making the

peal within the time aforesaid upon the findings of said Commissioners in favor of any person or corporation by filing with said clerk a notice of such appeal. The appeal shall be entered on the calendar of the succeeding term of said court and shall be tried and judgment therein given and the like costs allowed as in actions brought in said court. If the said board appeals and the same or greater damages be recovered than shall have been awarded by the Commissioners it shall be liable for the costs of the appellant and do not recover greater damages than shall have been awarded by the Commissioners, such appellant shall be liable for costs; but no appeal taken shall prevent said City having and holding said lands as aforesaid or said Board from entering upon and proceeding to construct, use and operate said works or any part thereof.

Duties of Clerk of Court.

Sec. 9. The clerk of said court shall attach together, and keep on file in his office, the said notice of application, with the affidavits of publication thereof, the appointment of said Commissioners, their oath of affirmation, the notice given by them, with an affidavit of publication thereof; their report, the notice of appeal and bond, a certified copy of any final judgment or appeal and his certificate or certificates of the payment to him by said Board of any monies awarded to any person or corporation. A copy, certified by said clerk, of such papers may be recorded in the office of the Register of Deeds of said county, and the papers so filed; said record or a certified copy of either shall in all cases be received as evidence of the facts therein stated.

Possession and Right of Way—Injunctions.

Sec. 10. That whenever the Board of Water Commissioners file their maps as required by section seven (7) of this act, the Board shall be deemed to be in possession of the lands and right of way as represented on their map or maps or of any other lands they may occupy or have damaged in the construction of their works for the purpose of introducing and supplying the City of St. Paul with pure water, either by flowage, drainage or otherwise, either by the consent of the owner or owners, or not of the land used or occupied, that is not shown on their map or maps, that the owner or owners have not been settled with nor the lands paid for as required by section eight (8) of this act. No injunction shall be maintained against the Board of Water Commissioners, restraining them from the use of the lands, (nor any action to recover) possession, or for damage to said lands shall be maintained, except as provided in the following section.

Suits for Recovery.

Sec. 11. The owner or owners of any such land or lands may maintain a suit for the recovery of the possession of lands used by the Board of Water Commissioners, for the value thereof, and the damages thereto by reason of the taking thereof as aforesaid, either by flowage, drainage or otherwise or damage of any kind.

Sec. 12. The defendant, the Board of Water Commissioners, may answer, admit and allege the taking of the plaintiff's land for the use of the Board of Water Commissioners, for the purposes of introducing water into the City of St. Paul, and that no compensation has been paid therefor, and that the defendant is ready and willing to pay such compensation, upon having the same assessed by the jury trying the action, provided the plaintiff on the trial shall establish his right to recover the land in question.

Verdict for Damages.

Sec. 13. In all such actions where the defendant by answer admits and pleads, as hereinabove specified, the

its works over said re-located may join its proceedings for survey and re-location with proceedings for extending its said works. PROVIDED, That if said Board in the proceedings heretofore after to be had for locating line, have paid into the said amount awarded to any person Commissioners in said proceedings amount so paid in shall be payment to such person amount which may be awarded in proceedings hereby authorized upon

Willful Damage, Penalty For.

Sec. 17. Any person who shall willfully and without authority from said Board break, remove or damage any dam, bulkhead, gate, gate house, conduit, air vent, air box, air box cover, main pipe or culvert, or fill up, or partially fill up, an excavation or raise or open any gate, break down or force open any doors of said works executed, constructed and maintained for the purposes specified in this act shall, on conviction thereof, be punished by imprisonment in the state prison for a term of not more than ten (10) years nor less than one (1) year.

Willful Acts to Divert or Corrupt Water, Etc.—Penalty.

Sec. 18. If any person or persons shall maliciously or willfully divert the water, or any portion thereof, from the said works, or shall corrupt or render the same impure, or shall destroy any canal, aqueduct, pipe, conduit, machinery, or other property used or required for procuring or distributing the water, such person or persons and their aiders and abettors shall forfeit to said board, to be recovered in a civil action, treble the amount of damages (besides costs of suit), which shall appear on file to have been sustained; and all such acts are hereby declared to be misdemeanors, and the parties found guilty thereof may be further punished by a fine not exceeding one thousand (\$1,000) dollars or by imprisonment not exceeding one (1) year or both, at the discretion of the court.

Board May Use Ground Under Streets, Roads, Railroads, Etc.

Sec. 20. That the said Board, in behalf of the City of St. Paul and all persons acting under their authority, shall have the right to use the grounds, or soil under any road, railroad, highway, street, lane, alley or court for the purpose of constructing, enlarging, improving or repairing the works contemplated by this act, on condition that they shall cause the surface of such road, railroad, highway, street, lane, alley or court to be restored to its original state, and all damages done thereto to be repaired.

Rights of Way and Easements Paramount.

Sec. 23. In all cases where rights of way and easements have been or may be hereafter required, either by purchase of title or by condemnation, for the laying of any conduits, supply mains, or other appliances or works for supplying water as contemplated in this act, such rights of way and easements shall be paramount, and neither said City of St. Paul nor said County of Ramsey nor other County or municipal body or corporation, or other corporation or person shall thereon use or occupy the same for any purpose other than said purpose for which said right of way or easement was or may be acquired as aforesaid, except with the consent of said Board, and upon such terms and in such manner as may be agreed upon with said Board of Water Commissioners, and said Board of Water Commissioners is hereby authorized to make and enter into any agreement in that behalf which it may deem necessary and expedient.

Actions and Judgments Against Board.

Sec. 24. And all causes of action, either at law or in equity, which may now exist, or which may hereafter exist by reason of any act or omission of or on the part of the Board of

person or property shall be a continuing lien upon such property until the same are paid. The Council may provide for the payment of water rates in advance and may also provide for the deposit of a sum for the installation of a water meter or other water connection, which shall be returned to the person making the same with interest not to exceed four (4) per cent per annum when such connection shall terminate, provided all charges shall have been paid. It may also prescribe a minimum rate and shall prescribe penalties for failure to pay promptly for water furnished, and also for non-payment. All water rates and charges shall be collected at least once in every three months.

City Must Pay for Water.

Sec. 460. The said board shall keep separate accounts with each officer and department of the city and other governmental agencies for water furnished and shall collect therefrom in the same manner and subject to the same rules and regulations, as if the same were private persons, provided, however, that the Council shall annually appropriate funds for the payment to such board for all water supplied for the extinguishment of fires, for public fountains, public watering places, public baths, the cleaning of streets and for all other public purposes where it is impracticable to measure the amount thereof. The Council also shall annually determine the cost or value of water to be used in street sprinkling or other like purpose and shall direct the proper officer or department to include such sum or sums in the cost of sprinkling or other like purpose and proceed to collect the same for the benefit and use of the said water department.

Failure on the part of any public officer to carry out the provisions of this section shall constitute malfeasance in office.

Frontage Tax—Collection.

Sec. 461. The said Board shall assess against each and every lot, piece or parcel of land in front of which water pipes are laid an annual tax, or assessment of ten (10) cents per lineal foot of the frontage thereof, which assessment shall be a lien thereon and shall be collected by and through the County Auditor and County Treasurer in such manner as the Council by an administrative ordinance shall prescribe; but no property shall be subjected to more than ten such annual assessments, and all sums so collected shall be for the benefit and use of the said board.

Mains—Grades.

Sec. 462. The Council by ordinance shall prescribe the manner of and provide for the laying of water mains, the readjustment thereof, and the relaying and readjustment thereof on the change of any street grade.

Council Powers.

Sec. 463. The Council shall have full power and authority, subject to the provisions of the charter, to prescribe and provide for the better conduct and regulation of the water department and all other matters connected therewith not herein provided for.

Bonds.

Sec. 464. All bonds heretofore issued by the city for the purchase or improvement of the water system of the city are hereby declared to be legal and valid obligations of the City of St. Paul.

Upon request of the said Board, the Council shall have power by five-sevenths affirmative vote of all members elect, to issue and sell not to exceed three hundred thousand dollars (\$300,000.00) par value of the bonds of said city for the purpose of and the proceeds thereof shall be used solely for extending, enlarging and improving the water plant and system of said city, provided, however, that no more than one hundred thousand dollars (\$100,000.00) par value of said bonds shall be issued and sold in any one calendar year, and shall be in the form prescribed by the Council.

for general taxation as they now exist, are continued in force and made part of this charter, except insofar as such provisions of law are inconsistent with the express provisions of this charter. Provided that the Board of appointment as therein named shall be composed of the chairman of the Board of County Commissioners of Ramsey County, the Auditor of the County of Ramsey and the Vice-President of the Council of the City of St. Paul.

CHAPTER XXVIII.

Official Publications.

Sec. 470. In November of each and every year the Council shall have authority to receive competitive bids and to make a contract or contracts for the printing and publishing during the year beginning January 1 next following in a daily or weekly newspaper specified in the bid, and printed in the English language in the City of St. Paul qualified under the laws of Minnesota to publish legal advertisements, all ordinances, resolutions and other proceedings and matters required under this charter or by resolutions or ordinances of the Council to be published in a public newspaper. Said Council shall determine by ordinance the manner in which such bids may be received and such contracts awarded, provided that said contracts shall be awarded in each case to the lowest qualified bidder and in such a manner as to serve and protect the interests of the City of St. Paul.

May Establish Weekly Paper.

Sec. 471. Instead of advertising for bids for printing and publication as provided for in the preceding section, and designating an established daily or weekly paper as the official paper of the city, the Council shall have power and authority to require the City Clerk to have printed and to issue each week an official paper of the City of St. Paul in which all matters above designated shall be published. Said paper shall publish only matters relating to the city's business. Copies of each issue of said paper shall be kept on file in the office of the City Clerk and of the Comptroller, and shall be sent free to all public libraries in the Twin Cities and to all other public libraries which may apply therefor. Such copies shall be furnished free to all persons applying therefor personally for each issue at the city hall, one copy of each issue to each person so applying, or they shall be mailed to the address of any person paying in advance a subscription price of fifty cents per year to said City Clerk. Said subscription price shall become part of the printing fund of the City of St. Paul. The time specified for the publication of any notice required to be published in the official paper of said city under this charter shall commence with its first publication.

CHAPTER XXIX.

MISCELLANEOUS AND SUPPLEMENTARY.

Sec. 472. All meetings of the Council, of all Boards, committees and officers whatever, elected, appointed or employed, shall be public meetings open to the public under proper regulations to be fixed by ordinance by the Council. All proceedings and records of all such bodies or officers, and all documents belonging to the City of St. Paul shall be public records and documents accessible to the public under proper restrictions to be fixed by the Council by ordinance. All such records shall be prima facie evidence of the facts therein stated and copies thereof when certified by the person entitled to the official custody thereof to have been compared by him with the original, and to be a correct transcript therefrom, shall be received in evidence in all cases with the same force and effect given to such original.

Sec. 473. The City of St. Paul shall have the right to employ such persons as it may deem necessary and proper for the purpose of carrying out the provisions of this charter.

ST. PAUL REVIEW.

within the time aforesaid upon findings of said Commissioners in...

its works over said re-located may join its proceedings for survey and re-location with...

person or property shall be a continuing lien upon such property until...

for general taxation as they now exist are continued in force and made part...

CHAPTER XXVIII.

Sec. 470. In November of each and every year the Council shall have authority to receive competitive bids...

Duties of Clerk of Court. Sec. 9. The clerk of said court attach together, and keep on file...

Willful Damage, Penalty for. Sec. 17. Any person who shall willfully and without authority from said Board break, remove or damage any dam, bulkhead, gate, gate house, conduit, air vent, air box, air lock cover, main pipe or culvert, or fill up, or partially fill up, an excavation or force open any gate, break down or force open any doors of said works executed, constructed and maintained for the purposes specified in this act shall, on conviction thereof, be punished by imprisonment in the state prison for a term of not more than ten (10) years nor less than one (1) year.

City Must Pay for Water. Sec. 460. The said board shall keep separate accounts with each officer and department of the city and other governmental agencies for water furnished and shall collect therefrom in the same manner and subject to the same rules and regulations, as if the same were private persons, provided, however, that the Council shall annually appropriate funds for the payment to such board for all water supplied for the extinguishment of fires, for public fountains, public watering places, public baths, the cleaning of streets and for all other public purposes where it is impracticable to measure the amount thereof. The Council also shall annually determine the cost or value of water to be used in street sprinkling or other like purpose and shall direct the proper officer or department to include such sum or sums in the cost of sprinkling or other like purpose and proceed to collect the same for the benefit and use of the said water department.

May Establish Weekly Paper. Sec. 471. Instead of advertising for bids for printing and publication as provided for in the preceding section, and designating an established daily or weekly paper as the official paper of the city, the Council shall have power and authority to require the City Clerk to have printed and to issue each week an official paper of the City of St. Paul in which all matters above designated shall be published.

Section and Right of Way—Injunctions. Sec. 10. That whenever the Board of Water Commissioners file their maps as required by section seven (7) of this act, the Board shall be deemed to be in possession of the lands and of way as represented on their maps or maps of any other lands they may occupy or have damaged in construction of their works for purpose of introducing and supplying the City of St. Paul with pure water, either by flowage, drainage or otherwise, either by the consent of the owner, or owners, or not of the land used or occupied, that is not shown on their map or maps, that the owner or owners have not been settled in nor the lands paid for as required by section eight (8) of this act. No injunction shall be maintained against the Board of Water Commissioners, restraining them from the use of the lands, (nor any action to recover possession, or for damage to lands shall be maintained, except provided in the following section.)

Willful Acts to Divert or Corrupt Water, Etc.—Penalty. Sec. 19. If any person or persons shall maliciously or willfully divert the water, or any portion thereof, from the said works, or shall corrupt or render the same impure, or shall destroy any canal, aqueduct, pipe, conduit, machinery or other property used or required for procuring or distributing the water, such person or persons and their aiders and abettors shall forfeit to said board, to be recovered in a civil action, treble the amount of damages (besides costs of suit), which shall appear on file to have been sustained, and all such acts are hereby declared to be misdemeanors, and the parties found guilty thereof may be further punished by a fine not exceeding one thousand (\$1,000) dollars or by imprisonment not exceeding one (1) year or both, at the discretion of the court.

Frontage Tax—Collection. Sec. 461. The said Board shall assess against each and every lot, piece or parcel of land in front of which water pipes are laid an annual tax or assessment of ten (10) cents per lineal foot of the frontage thereof, which assessment shall be a lien thereon and shall be collected by and through the County Auditor and County Treasurer in such manner as the Council by an administrative ordinance shall prescribe; but no property shall be subjected to more than ten such annual assessments, and all sums so collected shall be for the benefit and use of the said board.

Sec. 472. All meetings of the Council, of all Boards, committees and officers whatever, elected, appointed or employed, shall be public meetings open to the public under proper regulations to be fixed by ordinance by the Council. All proceedings and records of all such bodies or officers, and all documents belonging to the City of St. Paul shall be public records and documents accessible to the public under proper restrictions to be fixed by the Council by ordinance. All such records shall be prima facie evidence of the facts therein stated and copies thereof when certified by the person entitled to the official custody thereof to have been compared by him with the original, and to be a correct transcript therefrom, shall be received in evidence in all cases with the same force and effect given to such original.

Suits for Recovery. Sec. 11. The owner or owners of such land or lands may maintain suit for the recovery of the possession of lands used by the Board of Water Commissioners, for the value thereof, and the damages thereto by reason of the taking thereof as aforesaid, either by flowage, drainage or otherwise or damage of any kind.

Rights of Way and Easements Paramount. Sec. 33. In all cases where rights of way and easements have been or may be hereafter required, either by purchase of title or by condemnation, for the laying of any conduits, supply mains, or other appliances or works for supplying water as contemplated in this act, such rights of way and easements shall be paramount, and neither said City of St. Paul nor said County of Ramsey nor other County or municipal body or corporation, or other corporation or person shall thereon use or occupy the same for any purpose other than said purpose for which said right of way or easement was or may be acquired as aforesaid, except with the consent of said Board, and upon such terms and in such manner as may be agreed upon with said Board of Water Commissioners, and said Board of Water Commissioners is hereby authorized to make and enter into any agreement in that behalf which it may deem necessary and expedient.

Mains—Grades. Sec. 462. The Council by ordinance shall prescribe the manner of and provide for the laying of water mains, the readjustment thereof, and the relaying and readjustment thereof on the change of any street grade.

CHAPTER XXIX. MISCELLANEOUS AND SUPPLEMENTARY.

Verdict for Damages. Sec. 13. In all such actions where defendant by answer admits and admits, as hereinabove specified, the

Actions and Judgments Against Board. Sec. 34. And all causes of action, either at law or in equity, which may now exist, or which may hereafter occur by reason of any act or omission by or on the part of the Board of

Bonds. Sec. 464. All bonds heretofore issued by the city for the purchase or improvement of the water system of the city are hereby declared to be legal and valid obligations of the City of St. Paul. Upon request of the said Board, the Council shall have power by five-sevenths affirmative vote of all members elect, to issue and sell not to exceed three hundred thousand dollars (\$300,000.00) par value of the bonds of said city for the purpose of and the proceeds thereof shall be used solely for extending, enlarging and improving the water plant and system of said city, provided, however, that no more than one hundred thousand dollars (\$100,000.00) par value of said bonds shall be issued and sold in any one calendar year.

Sec. 473. No officer or employe of the City of St. Paul, or any department, bureau or activity, whatsoever, shall be employed in the form of

or owners have paid for as re-
by section eight (8) of this
injunction shall be maintained
the Board of Water Commis-
restraining them from the use
lands, (nor any action to re-
possession, or for damage to
lands shall be maintained, except
provided in the following section.)
Suits for Recovery.
Sec. 11. The owner or owners of
such land or lands may maintain
for the recovery of the Board of
of lands used by the value
Commissioners, for the value
of, and the damages thereto by
of the taking thereof as afore-
either by flowage, drainage or
wise or damage of any kind."
Answer.
The defendant, the Board
Water Commissioners, may answer,
and allege the taking of the
land for the use of the
Board of Water Commissioners, for
purposes of introducing water into
City of St. Paul, and that no com-
pensation has been paid therefor,
and the defendant is ready and will-
ing to pay such compensation, upon
the same assessed by the jury
in the action, provided the plain-
tiff shall establish his right
to recover the land in question."
Verdict for Damages.
Sec. 13. In all such actions where
the plaintiff by answer admits and
assesses, as hereinabove specified, the
land, and by their verdict
whenever the plaintiff is entitled
to recover for the land in controversy,
if so entitled, the amount of com-
pensation to which the plaintiff is en-
titled for the taking and perpetual
of this land for the purpose herein
stated; PROVIDED, That when it
appears that the land was taken or
appropriated, by and with the con-
sent and acquiescence of the owner,
owner shall not be entitled to
recover any rents or profits which ac-
crued prior to demand for compensa-
tion for such land, and he shall be
entitled to recover in such case the
compensation for the land taken and
damages."
Judgment for Damages.
Sec. 14. Upon a verdict finding
in favor of the plaintiff, the plaintiff
is entitled to recover the value of the
land in suit and the compensation
therefor for the taking and perpetual
of such land, judgment shall be
rendered in substance as follows: That
plaintiff have and recover from the
defendant the land in suit or, in lieu
thereof, the compensation fixed by the
jury, with costs and disbursements,
reasonable attorney's fees, to be
paid by the Court; on the expiration
of ninety (90) days after the entry of
judgment aforesaid, if the compen-
sation, costs, disbursements and at-
torney's fee specified in the judgment
has not been paid then a writ of execu-
tion shall issue for the delivery of the
land in the judgment to the plaintiff,
and to satisfy the judgment as to costs,
disbursements and attorney's fee out of
the property of the defendant."
Land Belonging To.
Whenever the Board of
Water Commissioners has located the
line upon a crop, or over any other
property, contiguous to any land or lots be-
longing to infant heirs or other wards
having any interest therein, it shall
be the duty of the guardian of such
wards or wards to sell and convey to
the City of St. Paul, upon such terms
as may be agreed upon between said
guardian and said Board of Water
Commissioners, such portion of said
land or lots as may be deemed neces-
sary or required by said Board and the
City of St. Paul, and across the
line, together with all such grounds,
rights as may be deemed neces-
sary or required for any purpose by
said Board in the discharge of their
duties as herein provided, subject only
to the approval and confirmation of
the probate court of the county having
jurisdiction of the matter of the
guardianship of such heirs or wards,
and approval and confirmation shall
be required upon or annexed to the
deed or other instrument between the
City and said Board, and shall be
recorded with the deed or other in-
strument, in the office of the Register
of Deeds in the proper county, and shall
be notice to all parties interested of
the facts therein stated; PROVIDED,
that before granting such approval
and confirmation the judge of probate
shall require a petition, subscribed
and verified by such guardian and
approved by the President of the Board
of Water Commissioners, or by its at-
torney, to be filed in such probate
court, setting forth the names of such
heirs or wards, the name of the Board
of Water Commissioners, a descrip-
tion of the lands or lots to be convey-
ed, the terms of sale, and that the
price to be paid is the just and full
value of the lands or lots intended to
be conveyed to said Board, and upon
filing of such petition the judge of
probate court shall determine the
matter, without any further notice,
by, notice, order or delay what-
soever."
Re-surveys and Re-locations.
Sec. 16. Said Board is hereby
authorized to re-survey the line of
works, heretofore and hereafter lo-
cated, and to re-locate said line
any portion thereof, the same as
though said line had not heretofore
been located. In case of making such
re-survey and re-location, said Board
shall proceed in the same manner as
provided in Sections seven (7),
eight (8), and nine (9) of this act,
and all the provisions of said sections
shall be applicable to the re-survey
and re-location and the effect thereof,
and constructing, using, and operating

of such road, railroad, highway,
street, lane, alley or court to be re-
located to its original state, and all
damages done thereto to be repaired."
**Rights of Way and Easements Par-
amount.**
"Sec. 23. In all cases where rights
of way and easements have been or
may be hereafter required, either by
purchase of title or by condemnation,
for the laying of any conduits, supply
mains, or other appliances or works
for supplying water as contemplated
in this act, such rights of way and
easements shall be paramount, and
neither said City of St. Paul nor said
County of Ramsey nor other County
or municipal body or corporation, or
other corporation or person shall
thereon use or occupy the same for
any purpose other than said purpose
for which said right of way or ease-
ment was or may be acquired as afore-
said, except with the consent of said
Board, and upon such terms and in
such manner as may be agreed upon
with said Board of Water Commis-
sioners, and said Board of Water Com-
missioners is hereby authorized to
make and enter into any agreement
in that behalf which it may deem
necessary and expedient."
Actions and Judgments Against Board.
"Sec. 24. And all causes of action,
either at law or in equity, which may
now exist, or which may hereafter oc-
cur by reason of any act or omission
of the Board of Water Commis-
sioners, or of any of its servants,
agents, employees or otherwise, shall
be brought and maintained by such
claimant or claimants against the
said Board of Water Commissioners,
anything in the statutes of the State
of Minnesota to the contrary notwith-
standing. And any and all judgments
recovered against said Board of
Water Commissioners shall be paid
out of any monies in the hands of
the City Treasurer of the City of
St. Paul belonging to said Board, as
other indebtedness are paid."
**Notice of Actions, Filing and Con-
tents, Limitation.**
"Sec. 25. Before any action shall
hereafter be maintained in any court
of this state having jurisdiction there-
of, against said Board of Water Com-
missioners, for any cause whatever,
the subject matter thereof, together
with the evidence in support of the
same, must have first been presented
and submitted to said Board for its
investigation and approval, and that,
too, within sixty (60) days after said
cause of action accrues. If upon and
after such investigation by said Board,
the same shall be rejected, then and
in that case action thereon must
be commenced within one (1) year
thereafter, or forever be barred from
maintaining an action thereon, or
covering a judgment against said
Board upon said claim or cause of ac-
tion."
Real Estate Defined.
"Sec. 26. The term 'real estate' as
used in this chapter, shall be con-
strued to signify and embrace all up-
lands, lands under water, the waters
of any lake, pond or stream, all and
every estate, interest and right, legal
and equitable, in lands or water, in-
cluding term for years, and life, or
lease or otherwise, and also all claims
for damages to such real estate."
**Meetings—General Powers—Executive
Officer.**
Sec. 456. Such Board shall meet at
least once a month and at such other
times as it may determine and shall
keep complete public records of all its
proceedings. Special meetings may be
called by the President or by the other
two members by jointly signing call.
A majority of the Board shall consti-
tute a quorum for the transaction of
business.
Subject to the charter and any en-
actment in pursuance thereof, the
Board shall have full control and man-
agement of the said department.
The President shall be the executive
officer of said Board and subject to the
charter and with the approval of the
Board may appoint and employ all of-
ficers and employees of the said de-
partment.
**Officers and Employees—Terms and
Compensation.**
Sec. 457. The Board with the ap-
proval of the Council, by administra-
tive ordinance, shall fix the compensa-
tion of all officers and employees, their
titles, terms of service, and general
conditions of employment, subject, how-
ever, to this charter, and also may like-
wise make and provide rules and regu-
lations for their government.
Contracts—Finances.
Sec. 458. All contracts and agree-
ments shall be made in the name and
for the benefit of said board, and all
formal contracts shall be signed and
executed by the President and Secre-
tary thereof, and approved and coun-
tersigned by the comptroller.
All money collected or expended by
the said board shall be kept in a sep-
arate fund, which may be divided into
such accounts as desirable, and shall
be used only for the purposes and uses
of said board and not otherwise.
Rules for Use and Water Rates.
Sec. 459. The Council, by ordinance,
shall provide rules and regulations re-
lative to the use and distribution of
water, the fixing of the price at which
it shall be furnished for any purpose
whatsoever. Water rates must be uni-
form, as nearly as practicable, and shall
be adequate for the maintenance of
said department, the payment of all
interest and repair charges, and the
amortization of all indebtedness when
due, and any officer violating this pro-
vision shall be guilty of a misdemeanor.
Any and all charges to be fur-
nishing by the said board, of water to

tion price of the City of St. Paul.
The time specified for the publication
of any notice required to be published
in the official paper of said city under
this charter shall commence with its
first publication.
CHAPTER XXIX.
**MISCELLANEOUS AND SUPPLEMEN-
TARY.**
Sec. 472. All meetings of the Coun-
cil, of all Boards, committees and offi-
cers whatever, elected, appointed or
employed, shall be public meetings
open to the public under proper regu-
lations to be fixed by ordinance by the
Council. All proceedings and records
of all such bodies or officers, and all
documents belonging to the City of St.
Paul shall be public records and docu-
ments accessible to the public under
proper restrictions to be fixed by the
Council by ordinance. All such records
shall be prima facie evidence of the
facts therein stated and copies thereof
when certified by the person entitled to
the official custody thereof to have
been compared by him with the origi-
nal, and to be a correct transcript
therefrom, shall be received in evi-
dence in all cases with the same force
and effect given to such original.
**Officials and Employees Not to Do Busi-
ness With City.**
Sec. 473. No officer or employee of
the City of St. Paul, or any department,
bureau or office, shall, while in the
City of St. Paul, be interested in any
business in any way interested shall have
personal interest, direct or indirect, in
any contract or job, with said city, or
shall be interested directly or indirect-
ly in the sale to said city of any sup-
plies, material, service, or any other
things whatsoever, except on behalf of
said city as such officer or employee.
This prohibition shall apply to the
leasing or selling of lands to said city
for any purpose whatever. The re-
ceiving of a fixed salary for perform-
ing official duties shall not come within
the above prohibition. Any violation
of this section shall constitute mal-
feasance in office, and any moneys re-
served in violation of said section may
be recovered by said City in the courts.
Curative.
Sec. 474. The adoption of this
amendment shall not be construed as
the repeal of any ordinance or resolu-
tion of the City of St. Paul now in
force, and not in conflict with this char-
ter. So far as the provisions of this
amendment are the same as the provi-
sions of the prior existing charter the
same shall be construed as continua-
tions thereof.
All contracts entered into by or with
the City, prior to the adoption of this
amendment shall be continued in force
and with the same effect as though all
the procedure entered into by any of
the authorities of the City for making
local improvements or any other public
work shall be continued and perfected
under this charter with the same effect
as though same had been com-
menced hereunder, except that where
the completion of the same is imprac-
ticable within the terms of this char-
ter, the same shall be completed under
the terms of the laws in force prior to
the adoption thereof.
The repeal by this amendment of any
prior charter or any part thereof,
whether the same be revised or re-en-
acted herein or not, shall not revive
any law heretofore or hereby repealed,
or any office abolished; neither shall it
affect any act done, ratified or con-
firmed, nor any right accrued or es-
tablished, nor any action or pro-
ceedings had or commenced, but future
proceedings save as herein specifically
provided, shall conform as far as prac-
ticable to the provisions of this amend-
ment.
Other Appointments.
Sec. 475. The appointment of all of-
ficers not otherwise provided for in
this charter may be made in such man-
ner and by such persons subject to the
charter on civil service in this charter,
as the Council may by ordinance pre-
scribe.
Additional Powers of the Council.
Sec. 476. In addition to all specific
powers given the Council or any officer
of the City of St. Paul, the Council
shall have all such powers as may be
necessary to supplement and supply by
ordinance adopted by unanimous vote,
subject to the limitations of this char-
ter and the laws of the state, any and
all things necessary to make effective
the government of the City of St. Paul,
and guard and preserve the interests
of its inhabitants.
May Remove Officers.
Sec. 477. All heads of departments
having the power of appointing assis-
tants, subordinates or employees
shall have power to remove said offi-
cers under the resolutions and by the
methods provided in the chapter on
civil service.
Sec. 478. The Council shall have
power by ordinance to provide for in-
spection and regulation of all construc-
tion work, whatever, within the city of
St. Paul, whether buildings, plumbing,
heating, ventilating or any other con-
struction whatsoever, and shall do so
for the protection of the people of St.
Paul.
Sec. 479. The Council shall provide
for city representation to the Board
of Equalization and all other boards
upon which the city is entitled to rep-
resentation.
Sec. 480. The Council may provide
for a municipal reference library and
the selection of employees thereof.
**Council to Perform Duties and Exercise
Powers of "Common Council."**
Sec. 481. Any duty or power given
the "Common Council" in this or any
previous charter of the City of St. Paul
or any amendment thereto, or in any

shall prescribe the manner of and pro-
vide for the laying of water mains, the
readjustment thereof, and the relaying
and readjustment thereof on the
change of any street grade.
Council Powers.
Sec. 463. The Council shall have full
power and authority, subject to the
provisions of the charter, to prescribe
and provide for the better conduct and
regulation of the water department
and all other matters connected therewith
not herein provided for.
Bonds.
Sec. 464. All bonds heretofore is-
sued by the city for the purchase or
improvement of the water system of
the city are hereby declared to be legal
and valid obligations of the City of St.
Paul.
Upon request of the said Board, the
Council shall have power by five-sev-
enths affirmative vote of all members
elect, to issue and sell not to exceed
three hundred thousand dollars (\$300,-
000.00) par value of the bonds of said
city for the purpose of and the pro-
ceeds thereof shall be used solely for
extending, enlarging and improving
the water plant and system of said
city. Provided, however, that no more
than one hundred thousand dollars
(\$100,000.00) par value of said bonds
shall be issued and sold in any one cal-
endar year.
Such bonds shall be in the form pre-
scribed by the Council, shall bear in-
terest at a rate not to exceed four
per cent per annum and shall be
payable in not to exceed thirty years
after their date. It is the duty of said
Board to make annually suitable provi-
sion for the prompt payment of the
interest on any said bonds and for the
redemption of said bonds at their ma-
turity from the revenues of said Board.
Said bonds may be issued and sold
notwithstanding any other provisions
of this charter nor any provision of
law fixing the bonded indebtedness of
said city, but they shall not be addi-
tional to the bonds authorized in the
provisions of this charter relative to
city finances.
CHAPTER XXIII.
**Courthouse and City Hall Joint Com-
mittee.**
Sec. 465. That the following portion
of section 1, chapter 64 of the special
laws of the State of Minnesota for the
year 1889 in the following words shall
remain in full force, to-wit:
"The said building (courthouse and
city hall) when completed, shall be in
charge of a joint committee of seven
to be appointed as follows: The Mayor
of the City of St. Paul shall be ex-
officio a member and chairman of said
committee. Three (3) of the said com-
mittee shall be appointed annually by
the President of the Common Council of
said city from the members of said
Council, and three (3) shall be appoint-
ed annually by the Chairman of the
Board of County Commissioners from
the members of said Board. Said com-
mittee shall have entire charge of said
building and shall have power to ap-
point such janitors, custodian and
other employees as they shall deem nec-
essary for the proper care and man-
agement of said building, and shall
compensate as said committee shall
determine. The expense of keeping
said building in repair and the neces-
sary expense of heating and maintain-
ing the same shall be paid equally by
the city and County; that is to say,
one-half thereof out of the treasury of
said city and one-half out of the treas-
ury of said County."
"Provided that in the foregoing the
term 'Common Council' shall mean
Council under this charter and the
phrase 'President of the Common
Council,' shall mean Mayor of the City
of St. Paul under this charter."
CHAPTER XXIV.
Municipal Court.
Sec. 466. All provisions of law re-
lating to the municipal court of the
City of St. Paul, or any of the officers
or employees thereof, or imposing pow-
ers or duties on the officers or em-
ployees of said City of St. Paul in con-
nection with said municipal court, are
continued in force and made part of
this charter.
CHAPTER XXV.
Almshouse and City Hospital.
Sec. 467. All provisions of law relat-
ing to the Almshouse and City Hospital
and to the city and county physician
as they now exist, are continued in
force and made part of this charter.
CHAPTER XXVI.
Plat Commission.
Sec. 468. All the provisions of that
certain act of the legislature of the
State of Minnesota entitled, "An act
to amend and consolidate an act
to provide for a plat commis-
sion of Ramsey County, approved
March 7, 1881, and the several acts
amendatory thereof," approved Febru-
ary 22, 1887, being chapter 108 of the
laws of 1887, so far as applicable to
the City of St. Paul, are hereby con-
tinued in force and made part of this
charter, except insofar as such provi-
sions are inconsistent with the express
provisions of this charter, provided
that the Mayor of the City of St. Paul
shall have the appointive power given
under said act and the Commissioner
of Public Works shall take the place
of the "City Engineer."
CHAPTER XXVII.
**Assessment of Property for General
Taxation.**
Sec. 469. The provisions of law re-
lating to the assessment of property

